HOUSE OF ASSEMBLY

Wednesday 6 June 2001

The SPEAKER (Hon. J.K.G. Oswald) took the chair at 2 p.m. and read prayers.

FIREWORKS

Petitions signed by 74 residents of South Australia, requesting that the House ban the personal use of fireworks with the exception of authorised public displays, were presented by Messrs Atkinson and Wright.

Petitions received.

ECONOMIC AND FINANCE COMMITTEE

The Hon. G.M. GUNN (Stuart): I bring up the 34th report of the committee and move:

That the report be received.

Motion carried.

The Hon. R.G. KERIN (Deputy Premier): I move:

That the report be published.

Motion carried.

LEGISLATIVE REVIEW COMMITTEE

Mr CONDOUS (Colton): I bring up the 22nd report of the committee and move:

That the report be received.

Motion carried.

QUESTION TIME

The SPEAKER: I advise the House that, in the absence of the Minister for Tourism, questions will be taken by the Deputy Premier.

ELECTRICITY, NATIONAL MARKET

The Hon. M.D. RANN (Leader of the Opposition): My question is directed to the Premier. Given that the Council of Australian Governments meets in two days time to consider the operations of the national electricity market, will the Premier now honour his promise to make public the report of his electricity task force which he said would form the basis of his stance to be taken at the meeting, and specifically what does the report recommend? In announcing the task force on 15 March, the Premier said that the electricity task force would 'report directly to me and would make its findings public'. He went on to say:

The task force report will form the basis of South Australia's argument at the national level as to why the national electricity market and its regulations need and must be reviewed.

The Hon. J.W. OLSEN (Premier): I have just recently received an interim report from the task force, which is to report to me by 29 June. What I did ask—

The Hon. M.D. Rann interjecting:

The Hon. J.W. OLSEN: When the task force was established, its original charter was to report to me by 29 June. When the date was set for 8 June for the COAG meeting, with meetings tomorrow night, I did ask for an interim report and asked whether I could have that several clear working days prior to COAG so that I could look at an interim report. I have recently received the interim report and am looking at some aspects of it. I have no difficulty with releasing that publicly, as I have said previously. I just want to work through the report myself in the first instance, as I will do, and I will ensure that the report is released publicly.

ELECTRICITY, USE

The Hon. G.M. GUNN (Stuart): Can the Premier please inform the House about the new measures to encourage effective and cost-efficient use of electricity in South Australia?

The Hon. J.W. OLSEN (Premier): The national electricity market is an important issue. It is impacting against a number of jurisdictions across Australia and, as identified by the leader's question, as a result of that, this matter will be discussed at COAG, a meeting of the Prime Minister, Premiers and Chief Ministers on Friday this week.

In an attempt to look after in particular the small businesses that are contestable customers and will have to meet the requirements of a contestable marketplace by 1 July, we, together with Business SA, have indicated that we will fund with them a pilot program to work with those 700 or 800 small businesses that we anticipate of the 2,800 contestable customers; we will work with them in an educative role as to how they might ameliorate the effects by work practice changes and other changes within the workplace that would reduce basic consumption at peak times. That would then bring about the rebate system promised by AGL to have the maximum beneficial financial effect flowing on to those small business operators.

Business SA's role in this is to be commended. A lot of the small business operators are not like major corporations that have detailed knowledge and officers within those corporations that can manage detailed negotiations. This will assist those small businesses to better negotiate and give advice as to how they might be able to reduce peak consumption and, therefore, bring about a beneficial outcome for them.

As I indicated to the House yesterday, we are seeing in a number of jurisdictions—New South Wales and Victoria—very substantial increases in offers now being made. Yesterday, I mentioned the Michell Group. Mr Michell publicly indicated—I will get the figures for the House—about a 50 per cent increase in the megawatt hour rate that was being offered to his company in New South Wales. That underscores that this is a national issue; it is about encouraging an efficient national electricity market and something that we need to tackle. That is the reason why I have taken up the matter and will continue to do so.

We have put in place a number of initiatives to assist this transition to the national electricity market. For the benefit of the House, particularly for the member for Hart, I will quote from a letter from Mr Dennis O'Neill, CEO of the Australian Council for Infrastructure Development, published in the *Financial Review* a week ago, where he talks about the national market, as follows:

Government ownership in New South Wales and Queensland has cost taxpayers in both states the equivalent of four good size public hospitals. . . through losses involving poor contract risk management.

That is exactly the reason that we made the policy decision that we did some time ago. I note in the leader's response to the budget that he said, 'Well, there is no bonanza in this.' I

say to the leader, 'If there is no bonanza, wouldn't a $7 billion reduction in the level of debt be a bonanza for South Australia? Wouldn't a $7 billion reduction in our outstandings be a bonanza? Wouldn't a gross saving of some $297 million in interest payments be a bonanza for South Australia?' I simply pose the question: with that $297 million gross interest savings, what if interest rates were back in the Labor government days of 20 per cent and not the low interest that we have now? Heaven forbid if ever interest rates went back to 15, 18 and 22 per cent, as small businesses were paying for many of the years of the Keating administration. What would that mean to the debt that we had and the interest we had to pay? It would be a lot more than $297 million gross savings: it would be of the order of $1 billion or more in interest savings. That is what we have. That is the risk that has been eliminated. That is the bonanza that has been delivered to South Australians, importantly creating a structure and environment for the future.

I note that, in relation to the leader's response to the budget, the Labor Party now accepts the parameters and the figures that the Treasurer has put down. I thank them for belatedly acknowledging that, in fact, this is a sensible, structured budget. It is a pity that was not the case on Friday but I note from the leader's response yesterday that the structure of the budget and the figures contained in the budget are now accepted by the opposition. But there is one question that I think the opposition ought to answer. They say that they will have balanced budgets. Is that in accrual or cash terms? What is it?

Is it not interesting that, last Friday, the member for Hart and the Leader of the Opposition went out (and the media responded to them) and said that they would budget on accrual; that that was the way to go. I ask the shadow Treasurer: is it balanced on accrual terms or cash terms? It is not good enough for members of the opposition to go out and say that they will balance it but they will not explain under which method they will balance it. If it is good enough for the Labor Party to criticise, it is good enough for members opposite to answer the question. It is as simple as that.

I just highlight some of the hypocrisy of those opposite. The member for Hart says that this is a budget structured without strategy; this is a budget that does not have sense in it; it is not bold and does not have a vision to it; and, in fact, we have too much spending in it. What did the member for Hart say in his speech yesterday: 'I wanted more money for my Le Fevre school yesterday. You did not put it all in the budget.' Members opposite cannot have it both ways. They cannot talk with a forked tongue. They cannot say: 'You have to spend more money,' but at the same time advocate the opposite. That is what the opposition has been doing. There is no consistency in their approach; there is no substance in their approach; there is no policy in their approach. The shadow spokesperson on local government said in the *Local Government Journal* this week that the election is not for some time; therefore they would not be able to put out any more policies until that time.

An honourable member: Why?

The Hon. J.W. OLSEN: The reason they do not want the policies put out is, as Kim Beazley said on ABC radio recently:

> If you put a policy out, someone will ask you how you will fund it.

So, if you do not put a policy out you do not ever have to explain. That is what the leader's response was yesterday: no explanation, no policy and no substance.

CHAFFEY, MEMBER FOR

The Hon. M.D. RANN (Leader of the Opposition): Is the Premier concerned about the judgment of his government made by the National Party member for Chaffey, and does he dispute the member's claim that it is the Olsen government that is responsible for South Australia's power crisis? Last night, the member for Chaffey told this House:

> It was entirely the Olsen government's responsibility to prepare South Australia for entry into the national electricity market, and it chose to create a submarket in this state to force up the sale price of our generators, and this in turn has resulted in the exorbitant price increases now faced by South Australian businesses. That is a very sad indictment on a government that purports to support those very people.

The National Party member for Chaffey said about you and your substance—

The SPEAKER: Order! The leader will resume his seat now.

The Hon. J.W. OLSEN (Premier): No, I do not accept this, and I respond in this way. We have a shortage of electricity generation in this state because, when the bank fell over, the Labor Party did not invest in any generating infrastructure in South Australia. And when the bank fell over, they did not invest in or look at an alternative gas source for South Australia to create a competitive gas market. Given that 40 per cent of electricity is generated by gas and that we have one monopoly supplier for the Moomba Basin partners, the responsibility therefore lies with the last Labor administration, which had no vision, no plan and no forward investment in infrastructure. Not only is that component—

Members interjecting:

The SPEAKER: Order! The Leader will come to order.

The Hon. J.W. OLSEN: Not only is that component impacting on the national electricity market, but it is this new model of a national electricity market, the architect of which was, and I will repeat yet again, Paul Keating and a federal Labor administration. It was the Arnold government, with Paul Keating, that announced at a COAG conference that South Australia would be a participant in a national electricity market. So, to that extent, I welcome the Leader's bipartisan support of the establishment of the national electricity market, because his party was the architect. We are now in the position of responsibly trying to work our way through—

The Hon. M.D. Rann interjecting:

The SPEAKER: Order! The Leader will come to order.

Mr Koutsantonis interjecting:

The Hon. J.W. OLSEN: I beg your pardon?

Members interjecting:

The SPEAKER: Order! I call the House to order.

The Hon. J.W. OLSEN: I can understand some of the sensitivity of the member for Peake. Here is the member for Peake, one of the factional leaders in the Labor Party. In the past few days a little pressure point has started to emerge in one or two members opposite. Their actions tend to indicate to me some underlying pressure, because they are exhibiting behaviour not normally expected of members of parliament. I say no more than that and let the House draw its own conclusion from it.

As it relates to the national market, there are some things that even the member for Hart cannot ignore. The architect of the national electricity market was Paul Keating and Labor.

It was signed off by the Arnold Labor government. We inherited that and we are managing it. It is not a mature market. There are implications for this state and other states—

Mr Conlon interjecting:

The Hon. J.W. OLSEN: The member for Elder interjects—

Mr Conlon interjecting:

The SPEAKER: The member for Elder will remain quiet.

The Hon. J.W. OLSEN: The member for Elder got 100 per cent wrong his only contribution on the budget. He could not even read that $9.46 million was for a project totally different from the Emergency Services GRM contract. The member for Elder either is dumb and cannot read the budget papers or is being deliberately mischievous—

Mr Conlon interjecting:

The SPEAKER: Order! I warn the member for Elder.

The Hon. J.W. OLSEN: Well, do you recant your statements on ABC radio?

Mr Conlon: No.

The Hon. J.W. OLSEN: So, it does not matter that he has gone publicly and got it wrong: he is just going to sit there and be belligerent. We will judge him on that, because the member for Elder has got it wrong yet again and demonstrates that he cannot read a budget paper and cannot put the $9.6 million in the right category.

SCHOOLS, TECHNOLOGY

Mr HAMILTON-SMITH (Waite): Could the Minister for Education and Children's Services update the House on the most recent changes to information and computer technology in South Australian government schools?

The Hon. M.R. BUCKBY (Minister for Education and Children's Services): I thank the member for Waite for his question: he is one of those members who is right at the leading edge in terms of technology and wanting the best for his schools. This government has set new benchmarks in education and numerous benchmarks in various areas. We have set a benchmark for computing and information technology in schools across Australia. In fact, with the aid of the government's $85.6 million (compared to $300 000 spent by the last Labor administration), a national standard of one computer for every five children has been set by this government.

Our ratio of computers to students puts Australia among the best in the world in relation to information technology. In the United States, for instance, it varies from one computer to nine children to one computer to 65 children. Our ratio is one computer to five children. We have also gone further than that. We have also set the standard in mathematics and science. The results of the third international mathematics and science competitions recently held show that South Australian students have a better knowledge of and ability in mathematics and science than those in many countries across the world. We are better than the United States and New Zealand, and we outperform other states in Australia as well, coming third in mathematics and eighth in science.

The opposition has also set a new benchmark in education. Yesterday, the leader established a new record for paying minimal attention to education in his budget reply. What is more, his alleged shadow minister calls the budget depressing. Depressing? I will tell you what is depressing: it is depressing that, when we came into power, we had to put up with a $300 million recurrent deficit which robbed this state and students of South Australia of the additional facilities and educational needs that they required. We have been playing catch-up for the past seven years because of this inept Labor government that was in power in the early 1990s and the debt it left this state.

It is still devoid of a fresh approach; it is clearly out of touch with education. Sadly, the leader could only regurgitate his old chestnuts of retention rates and compulsory leaving age. He continued his simplistic agreement of them. He offered no real solutions for our state—none whatsoever, not even a whiff of one. The leader said he wants to be education Premier. He said that a Labor government would stand first and foremost for education, but he is simply unbelievable. When he speaks to the teachers' union, education is the first priority. When he speaks to the Australian Medical Association, health care is the first priority. It will forever remain a mystery as to what the first priority really would be in a Labor government.

An honourable member interjecting:

The Hon. M.R. BUCKBY: That's the point. The Premier raises the exact point, because it will evolve from the very last person to whom he talked that that is the first priority. The Labor leader has confirmed one thing—the Labor party is a metaphor. It is a metaphor for drab, dull and directionless.

CHAFFEY, MEMBER FOR

Mr FOLEY (Hart): My question is directed to the Premier. Given that the Olsen government needs the support of the independent member for Chaffey to remain in office, has the Premier sought or received an assurance from the member for Chaffey of her support in any future confidence motion in this government following her contribution last night in which she—

Members interjecting:

The SPEAKER: Order!

Mr FOLEY: Thank you, sir—said:

> The Olsen government was responsible for the power price crisis, and that the ETSA sale had not delivered the claimed benefits to the budget.

The Hon. J.W. OLSEN (Premier): I hope that every member in this parliament would be entitled to say what they wished to say in this place, except unless you are a factional leader of the ALP on the other side, where you are given clear riding instructions as to what you will say: when, how and where. We have a little more freedom and flexibility. We believe in the rights of some individuals. That might occasionally create some unwanted comment and cause some difficulties. Despite that, I would have it this way every time compared to the way of members opposite, rather than signing a piece of paper when you come into this parliament requiring you to comply with dictates of the party room. We have seen what has happened with the member for Ross Smith. There is the member for Ross Smith. Has anyone been more diligent in following through the party line? Although he might not like it too much occasionally—although most of the time—he followed it because he signed that pledge. We do not sign a pledge. We have freedom. We are able to express a point of view, and of course the member for Chaffey is entitled to express a point of view.

I will continue to argue in this chamber the government's position, I will continue to argue where the responsibility lies, I will accept where the responsibility lies in establishing this national electricity market and I will also accept the responsi-

bility in government to follow through and ensure that we get it right in the long term for this state.

HOSPITALS, COUNTRY

Mr SCALZI (Hartley): Will the Minister for Human Services outline to the House how the record capital works program in the 2001-02 budget will benefit people in country areas?

The Hon. DEAN BROWN (Minister for Human Services): The capital budget in health is a record and it has been increased from $103 million for the current year to $143 million for next year—an increase of $40 million, or 39 per cent. I ask members to compare that with what the Labor Party spent on health before we came to government in 1993: only a mere $50 million, approximately, was spent on health. This coming year we will be spending $143 million in the capital budget.

Let me outline to the House some of the country towns that will benefit from this additional expenditure in the health capital budget. First, Tumby Bay will get 12 aged care beds with ensuite facilities for $1.2 million; Cummins will get eight aged care beds with ensuite facilities for $900 000; Crystal Brook will get 16 aged care beds with ensuite facilities for $1.4 million; Laura will get 13 aged care beds with ensuite facilities for $1.4 million; Port Pirie will get $2 million for aged care beds; and Quorn will get $1.1 million for nine aged care beds with ensuite facilities. There are six major new projects in smaller country towns.

Mr Hill: There is more.

The Hon. DEAN BROWN: There is more. In addition to those six major aged care projects in country hospitals, all of which are new, all of which have been announced for the first time, four major redevelopments are occurring in the country. The first is Clare, which gets $3 million.

Members interjecting:

The Hon. DEAN BROWN: The local member is happy; he has a smile on his face. Renmark gets $1.3 million for a major redevelopment of its theatres. In fact, the member for Chaffey was only saying in parliament last night how much she, the broader community and the hospital in particular appreciated that money. Murray Bridge will receive $3.5 million for the redevelopment of some of the wards in that hospital. Then there is Whyalla, and the local member has said how much she appreciates the work that has been carried out in Whyalla. It means that they will get complete new boiler systems, water piping and, very importantly, because the member for Whyalla has raised this with me, they will get new air-conditioning in their hospital. They are some of the vast number of projects, 10 major new projects, with a record amount being spent on capital works in the health area.

Whilst I am talking about capital works in the health area, let me refer to two comments made in this parliament last night. First, the shadow minister for health, the member for Elizabeth, said that the Royal Adelaide Hospital had received small amounts of money each year. The first stage of a $25 million upgrade of the Royal Adelaide Hospital has just been completed, and it is a magnificent new facility at Hampstead Gardens. I invite the member for Elizabeth to visit the Hampstead Rehabilitation Centre to see the magnificent facilities there.

An honourable member interjecting:

The Hon. DEAN BROWN: Yes, there is more, because we have committed to stages 2 and 3A at the Royal Adelaide Hospital, and that will cost $78 million—

Members interjecting:

The SPEAKER: Order! The minister will resume his seat. I am sorry to interrupt the minister, but I think members on both sides have had a pretty fair go during this particular reply. I ask members to now remain silent and hear the minister out so that we can get on with the next question.

The Hon. DEAN BROWN: Thank you, Mr Speaker. The other point—

Mr CLARKE: Mr Speaker, I rise on a point of order. The question related to regional funding as far as health was concerned. The minister is now straying into the Royal Adelaide Hospital. As far as I know, the Royal Adelaide Hospital is on North Terrace in Adelaide.

The SPEAKER: The chair upholds the point of order. The question did relate to rural health and the rural budget, and I ask the minister to adhere to the question and then start to wind up his reply.

Members interjecting:

The SPEAKER: Order!

The Hon. DEAN BROWN: I picked that up because the member for Elizabeth said in her speech that there were only small amounts of money for capital works. In fact, here is a $140 million capital works budget and, once again, the member for Elizabeth is unable to tell this parliament the truth, because the budget—

Mr CLARKE: Mr Speaker, I rise on a point of order. I refer to standing order 98. The minister is now debating the answer, which I remind you, sir, related to rural hospital capital expenditure.

The SPEAKER: Order! The member does not need to remind the chair of anything. The minister will come back to the question, and I suggest he starts to wind up his reply.

The Hon. DEAN BROWN: Mr Speaker, I was talking about the capital works budget and I appreciate your ruling. The other point I mention is that the member for Peake claimed that the work had not yet even started on a number of our redevelopment projects, including the hospital in his own area on which we have just spent about $3.5 million.

The SPEAKER: Order! Let us get to rural health, please.

The Hon. DEAN BROWN: I had a video conference with each of the rural areas, and all I can report back to the House is that they are delighted with this government's commitment to health in country areas.

ELECTRICITY PORTFOLIO

Mr FOLEY (Hart): My question is directed to the Premier.

Members interjecting:

The SPEAKER: Order!

Mr FOLEY: Given the member for Chaffey's renewed call for the Treasurer to be stripped of his electricity portfolio, will the Hon. Rob Lucas continue to hold that position until the next state election? Last night in parliament the member for Chaffey said:

> . . . I hope that the Premier will heed the calls for the power matter to be taken out of the Treasurer's hands and be delivered into the hands of an individual who has energy. . . so that person can look at the options for the interests of South Australia and not for the interests of those people who made decisions they are not prepared to go back on.

The Hon. J.W. OLSEN (Premier): I can inform the member for Hart that the Treasurer will be a Treasurer of this state for a lot longer than the member for Hart will ever be a Treasurer.

WATER, NATIONAL ACTION PLAN

Mr WILLIAMS (MacKillop): Will the Minister for Water Resources inform the House about the programs to be implemented in South Australia under the national action plan on salinity and water quality?

The Hon. M.K. BRINDAL (Minister for Water Resources): I thank the member for his question: no-one in this House would decry the member's interest in the subject of water. This government, unlike opposition members opposite, has a strategy for combating salinity in our state. Some of you, I hope, will have heard the Premier this morning on radio outlining how we are proposing to start a number of projects from 1 July. These projects include: rehabilitation of major swamp areas along the Murray River and acceleration of salt interception works in the Riverland, which are already preventing 435 tonnes of salt per day from reaching the river. In the South-East of our state, initial funding will be used to re-establish long lost wet lands and prevent saline flood water entering the Coorong. Work will also be done on the Mount Lofty Ranges, the northern agricultural districts and on Kangaroo Island to redress ground water recharge, biodiversity enhancement, water quality and land management practices—something that I know is dear to the heart of the member for Finniss.

The government is already spending $100 million over seven years in addition to the funds already invested in existing programs. Through a bilateral agreement with the commonwealth, we expect to receive $100 million in matching funds, but we are not waiting for the commonwealth to pay the cheque. We are getting on with the work, as of next month, as the Premier announced this morning. Contrast this action of this government with that of the rabble oppose. Those opposite are of the same ilk as those who confronted Caesar on behalf of the Senate and the people of Rome—those who secretly harboured imperial ambitions, and I think the similarity is well drawn.

If they will, members of this House should read the member for Kaurna's contribution on the issue of water last night in his address in reply, where 82 words was all he had to utter about one of the most important priorities confronting this state. What a joke! Water resources are a priority for this government, and that is why we have extracted from the Treasurer a 34 per cent increase in funding this year. That is why we have committed funds to the Prime Minister's national action plan. That is why we are revamping this government's water licensing system so that we can better control the use of a scarce ground water resource in the prescribed areas across this state and perhaps create a new business opportunity in water for South Australia.

That is why we are providing comprehensive funds for the assessment of the water resources in the Mount Lofty Ranges, and that is why we are spending considerable funds converting water allocations to volumetric allocations in the South-East—because the resource is too precious to be wasted. That is why we are spending additional funds to expand and upgrade the state's ground water monitoring network, so that we can keep closer tabs on our water resources and better manage existing water demands.

These are just some of the initiatives in what has been described opposite as a 'steady as she goes budget'. Is this the best they can come up with in their interpretation of a budget, in an area where this government is making inroads and forging forward? It is described as 'steady as she goes', yet the member for Kaurna has to hide and snipe that there is no bold vision and no new direction. I challenge the member to refute his words in this parliament today; he has plenty of opportunities.

Perish the day that those opposite should ever gain the Treasury benches again, because their bold vision and their new direction for the Murray River—South Australia's greatest water resource—can be summed up in the 32 words that they have written:

> A Labor government will work towards the rehabilitation of the Murray River, including its flow to the sea and appropriate management of all activities that affect ecosystems associated with the river.

That is the only pearl of wisdom, the only glimmer of hope, in all the Labor Party's writings on the most important resource in this state. It is no wonder, because they on that side of the House seem preoccupied with television shows. They are more interested in watching the TV than in—

The SPEAKER: Order! The minister will come back to the question he has been asked.

The Hon. M.K. BRINDAL: I will, sir. The question I have been asked relates to water resources, and in my answer the people of this state have a right to see the difference between a government that has the policy and is delivering programs and the people opposite. While we are writing policies on a daily basis and not being able to watch television, at least we have the privilege of watching *Survivor* being played out opposite. Who is going to last in the tribe? I have only one thing to say in conclusion: the Leader of the Opposition must be wondering when they will make a display and when they will hold up the placards or when the member for Spence will simply say, 'You're the weakest link: goodbye.'

HIH INSURANCE

The Hon. M.D. RANN (Leader of the Opposition): Will the Premier take urgent action to close an apparent loophole in the consumer protection laws to protect home owners who may be affected by the collapse of builders insured with HIH? On 16 May, in response to opposition questioning, the Premier indicated that the government was not concerned about local fallout from the HIH collapse. However, the opposition has now been told that the Master Builders Association informed the Attorney-General and the minister for housing on 9 March of a loophole in the laws that required builders to have indemnity insurance policies in force before they start work on construction. Today, the opposition has been given a copy of confidential legal advice to the MBA which suggests that South Australian builders are not required by law to take out new insurance to replace their failed HIH indemnity insurance. The opposition has been informed that this leaves hundreds of new home buyers at risk if builders go broke.

The Hon. J.W. OLSEN (Premier): I was asked this question at a press conference this morning. Following that press conference I made some inquiries. The MBA did write to me on 29 May in relation to this issue. One point of the leader's assertion that I would like to correct is that I have shown a regard for South Australians who have been impacted. What I did say was that the level of impact in South Australia was nowhere near that felt in New South Wales and Victoria in terms of the number of people who might be directly affected—and thank goodness that is the case.

I have raised the matter with the Attorney-General in whose area this matter resides. He has indicated that the

Office of Business and Consumer Affairs will set up a special inquiry centre to assist and guide consumers through the commonwealth government's HIH claims support criteria regarding eligibility for assistance and register details of consumers' complaints or difficulties. I am advised by the Attorney that as of today very few inquiries from consumers have been made to the Office of Business and Consumer Affairs.

In relation to the loophole that exists, I understand that there is advice indicating that if insurance is there at the start, as it was with the HIH insurance, and they subsequently went broke there is a suggestion by one set of legal advice that there is not a requirement for that to be renewed, which is the point I think the Leader of the Opposition is making. On preliminary advice, the Attorney has indicated to me that that might not be the case but this matter is being pursued by the Attorney-General. We want to ensure that the spirit of protection for home buyers is maintained and we want to ensure that the momentum that we see in the building and construction industry in this state is able to be maintained in the future. Having spoken to the Attorney-General after that press conference this morning, I know that he will be following up this matter.

The other point I want to make—as I have consistently done—is that people who have been adversely affected through no fault of their own deserve some consideration. Quantifying the number of people and the total number of funds in this area is quite difficult, and that is why Treasury has been looking at how this might be done. I understand that some officer level discussions with the liquidators, for example, have indicated a very small exposure, which is different from that which might be suggested by some of the other agencies. That matter really needs to be clarified, because one has to bear in mind that, if funds are drawn down in this instance, they will have a direct effect on all other programs—whether that is schools, hospitals or wherever else. That is why the government needs to know the quantum that we are talking about before being able consider how it might respond to this issue.

Also, the Treasurer in another place yesterday indicated to that chamber that he was waiting to see whether other states of Australia would all sign off. To date, only two states, I understand, have signed off, and that is New South Wales and Victoria. Queensland, Tasmania, Western Australia (although I think the effect in Western Australia is even less than that in South Australia) have not to date, as I am advised, agreed to support the commonwealth's proposal; that is, in this area, it is a state's responsibility. The matter is being followed through. It is a matter where the rights of individuals need to be given very serious consideration, and they will be.

COMMUNITY SAFETY

Mr VENNING (Schubert): Can the Minister for Police, Correctional Services and Emergency Services detail to the House the accuracy of the reported comments of the opposition on the government's budget announcements to improve community safety?

The SPEAKER: The chair has some difficulty with that question, as regards requiring the minister to comment on the accuracy of that statement. The honourable member may wish to have a look at the question and bring it to the chair, and I can come back to the honourable member on the matter.

NATIVE VEGETATION

Mr HILL (Kaurna): My question is directed to the Minister for Environment and Heritage. Given the minister's admission yesterday that the government has been sitting for more than two years on a confidential report which recommended changes to the native vegetation legislation, will the minister now agree to release this report and consult the community, as recommended by the report? In August 1999, the Presiding Officer of the Native Vegetation Council, Mr Peter Dunn, submitted a report recommending changes to the Native Vegetation Act in response to requests by the Minister for Information Economy about compliance difficulties with that act. The report said that an analysis showed that there had been a poor success rate in prosecuting illegal clearance, even with major cases. The report recommended significant changes to the current legislation in relation to compliance and enforcement, and a process of broad community consultation.

The Hon. I.F. EVANS (Minister for Environment and Heritage): I will obtain a copy of the report and check whether what the member has read is accurate. I will see what commitments were given regarding public consultation. As I said yesterday, we are still working through the process of developing possible changes.

OLIVE EXPORTS

Mrs PENFOLD (Flinders): Can the Deputy Premier provide details of South Australian olive exports to Italy, as well as details of any other export success stories from rural and regional areas of our state?

The Hon. R.G. KERIN (Deputy Premier): This is quite an invitation, because there are at the moment an enormous number of success stories among our exporters, including those from Eyre Peninsula, particularly with respect to aquaculture. Olives are one of the export success stories, and there is enormous potential for this product in the future. Not only is there enormous potential for import replacement (over $100 million worth of olives and olive products is imported into Australia per year), but Europe has shown great interest in our olive crops here. Certainly, investment is also coming from Europe, and it really does create a large opportunity for the future.

In today's press, there is a story about a McLaren Vale producer who is sending olives to Florence in Italy. This follows on from the success of some of our other exporters well known for pasta exports to Italy and sake exports to Japan, and, of course, the enormous success of South Australian wineries in sending wine to Europe. The Food for the Future program is largely about finding those niche markets to get much better returns for what we grow, about relying on quality and about getting that product directly into those markets to get the best possible returns. Most of the products that go into these markets come directly out of regional areas of South Australia, and that is leading the way in export growth, which is far outstripping the other states. Of course, in turn, that makes an enormous contribution to the state's economy and the wellbeing of every South Australian.

That growth is absolutely vital to all South Australians, so it was somewhat disappointing last night in the Leader of the Opposition's response to the budget that there was the very glaring omission of reference to the regions. I suppose, in one way, the regions are seen to have done very well in the

budget—and deservedly so—but the leader's total lack of acknowledgment of the regions and their importance is somewhat typical of the ALP response to regional South Australia, as has been pointed out by no less than the previous president of country Labor, Mr Bill Hender.

Also, I think the threat to dismantle the Department of Industry and Trade would be very worrying to our exporters. Over the last few years this department has been instrumental in promoting our exports and facilitating exporters entering markets and meeting with the right people. Having been with a lot of those people, I understand the ground work that has been done here and the terrific work that has been done in our offices in Asia, and elsewhere, to make sure that our exporters are well connected. The threat of dismantling the department and winding back in those areas would be of great concern to all our exporters.

DIT has a real focus not only on product development but also on getting export markets, and it is absolutely essential that those components of DIT are encouraged rather than wound back. Otherwise, not only our export figures but also the regions of South Australia will be hurt.

SCHOOLS, SECURITY

Mr CONLON (Elder): Does the Minister for Police, Correctional Services and Emergency Services agree with the Police Commissioner that the security of our public schools would be compromised if their current security patrols carried out by the Police Security Services Branch were privatised and taken up by a private security company?

An honourable member interjecting:

Mr CONLON: This is the Commissioner. You guys like him: you reappointed him for five years.

The Hon. J.W. Olsen interjecting:

Mr CONLON: Sir, with your leave and that of the House I will explain, if the Premier will stop being rude for a moment. The Police Commissioner wrote a strongly worded letter to the Attorney-General on 22 March this year advising against taking our school security services away from the Police Security Services Branch. The Police Commissioner said in his letter that the idea that private security services would have access to a high level of collaboration and cooperation with the SA Police was 'fundamentally flawed'. He also questioned whether the value of police security services accessing police infrastructure had been factored into any potential savings sought by the Department of Education in this privatisation bid. Despite this, cabinet has proceeded to call for tenders for these services.

The Hon. R.L. BROKENSHIRE (Minister for Police, Correctional Services and Emergency Services): Clearly, when it comes to arson, vandalism and issues in schools, the government and, obviously, the police are always concerned. That is why there are a lot of initiatives already in place, as well as a lot more initiatives that I am working on with the Minister for Education, to make our schools safer. From time to time, different models are examined on the best way to do that. It is good government to do that. I am happy to work with the Minister for Education to explore further opportunities. For example, we conducted a pilot in the south where principals had direct internet contact with the police on a range of issues concerning security, services and protection of the schools in that area. Whatever models eventuate in the future for the protection of schools, I can assure the honourable member that police will have a significant involvement in ensuring that every possible avenue is taken to keep our schools safe.

COMMUNITY SAFETY

Mr VENNING (Schubert): Will the Minister for Police, Correctional Services and Emergency Services detail to the House the government's intentions to improve community safety? I note that the Leader of the Opposition has been reported making comments that are not correct.

The SPEAKER: Order! The question is in order; I am not too sure about the explanation.

The Hon. R.L. BROKENSHIRE (Minister for Police, Correctional Services and Emergency Services): I am happy to answer the honourable member's question when it comes to the facts around some of the leader's comments, starting with the audio management system. In the media yesterday the shadow spokesperson claimed that it was part of the government radio network (GRN). Clearly, he has now understood and accepted that that audio management system applies to police and some emergency services with regard to internal telephone communications and is not an issue around the GRN at all. There are a range of issues like this. For example, the Leader of the Opposition claimed that $14.5 million of blown-out costs were now occurring with ESAU. He claimed that that money could be better delivered. I have said many times on the public record that it is a pity that the opposition cannot get over what most people would be able to do, and that is read budget lines. ESAU is an additional cost to deliver services to emergency services.

It was $1 million for the first two years. This year in the budget line that has been reduced to $500 000. The rest of that money is used to pay about 114 people to run the State Emergency Services organisation from a paid perspective. It pays the salaries of the people in the volunteer management teams who are delivering services for the volunteers, running the cadet programs and all those sorts of things. It pays for the volunteer support officers who were desperately required by the volunteers and unable to be delivered until the new funding system came in. It pays for the business support officers who assist those who have administrative responsibilities from a volunteer perspective to help them with all that business support. If the honourable leader proposes to reduce by $14 million those budget lines, he is proposing to sack 114 people who are delivering for the volunteers. That is outrageous! Every volunteer is asking for those support services. As we get opportunities, we will do more to deliver those support services.

Another area of inaccuracy is members opposite saying such things as that over several recent years we have cut police numbers. Either they do not want to listen or they are not prepared to put the facts forward to the community. I note that the shadow police spokesperson said that this year was the first time there had been an increase in the police budget. Guess what? The shadow spokesperson is wrong again. The last three budgets have seen successive increases in recruitment over and above attrition. In a two year period, we have delivered an increase of 203 police—a 4 per cent increase in the total police numbers. This is clearly an opportunity for the media and our government to see that they are not prepared to accept the truth or the facts, and they always want to fuzz the figures.

The facts are simply this—and put this in your Labor newsletters and tell your constituents the truth: 4 600 sworn

and non-sworn people in the police force, 4 per cent higher than when Labor was in office. On top of that—

Members interjecting:

The SPEAKER: Order!

The Hon. R.L. BROKENSHIRE: —4 per cent total number, they do not sit in cars with speed cameras. They do not cart prisoners. They do not attend false alarm calls. They do not go to courts and escort prisoners. Not only has this government delivered a record police budget, not only is the number of sworn and non-sworn police officers 4 per cent higher than when Labor was in office with what we announced in the budget last week, but we have also delivered a record budget for the South Australia Police and it has been growing year after year as we continue to rebuild the state of South Australia. There is a lot more work for the government to do but we are delivering our commitments, we are not fuzzing the figures and misleading the community like the shadow spokesperson is.

WESTPAC MORTGAGE CENTRE

Ms RANKINE (Wright): My question is directed to the Premier. Given the government's $30 million deal with Westpac to establish the mortgage centre in South Australia and given Westpac's intention now to outsource that centre, will the Premier guarantee that the 900 jobs required under the contract with Westpac will be 900 jobs here in South Australia? The opposition has been advised that, prior to announcing its intention to outsource, Westpac declared about 300 employees working interstate to be employees of the mortgage centre. The opposition is concerned that this could allow Westpac to reduce its South Australian work force to significantly below the contracted 900 workers.

The Hon. J.W. OLSEN (Premier): I answered a question of the member last week on this issue and, if the member wants me to repeat the answer of last week, I will. It is clear—

The Hon. M.D. Rann interjecting:

The Hon. J.W. OLSEN: Yes, their commitment was 900 and they have 1 400 to 1 600 full-time equivalents in this state. They are well beyond their contractual agreements in place. Westpac and Bankers Trust have exceeded substantially in the number of people they gave a commitment they would employ.

Members interjecting:

The Hon. J.W. OLSEN: Yes, they have. The member for Wright can ask the same question week after week—

The SPEAKER: No, she can't.

The Hon. J.W. OLSEN: —and she will get the same answer, Mr Speaker. In relation to her assertion that this is a fait accompli, Mr David Morgan has said to me, and he has said publicly, that they are testing the market to see whether they will accept proposals from the two companies they have invited to tender. No decision has been made by the board of Westpac and, as I said last week, that is some months away.

ROCK LOBSTER FISHERY

Mr MEIER (Goyder): Will the Minister for Primary Industries and Resources outline to the House the new arrangements for the taking of rock lobsters by the recreational sector? Will he also indicate the sustainability of the resource and say whether he believes that the new arrangements are equitable for all stakeholders?

Mr CLARKE: I rise on a point of order. This morning I heard the Deputy Premier respond to a media question on the radio on this very subject matter. It is a matter that is well in the public domain and therefore it should be ruled out of order in accordance with Erskine May.

The SPEAKER: Order! The member for Ross Smith may be studying standing orders thoroughly at the moment but I for one did not listen to the radio this morning, and I am sure that many members in this place did not listen to it, either. I have no knowledge of the answer that the Deputy Premier is going to give, nor does anyone else, so I think that he is entitled to give an answer as he sees fit. The Deputy Premier.

The Hon. R.G. KERIN (Minister for Primary Industries and Resources): I thank the member for Goyder for the question and the member for Ross Smith for his interest in what is an issue of considerable concern throughout the state, that is, recreational rock lobster pots. There has been a strong feeling for quite a while that there is an inequity in the fact that not everyone who has wanted access to recreational rock lobster pots has been able to obtain same. The major issue with the recreationals was equality of access for everyone who wanted it. The commercial sector's major concern was that we did not have open-ended effort, which would put the sustainability of the resource at risk.

After considerable consultation, we have come up with a balance between those two issues. We have made an allowance of 4.5 per cent of the resource to recreationals and there will be an open call for pots. If the pots go beyond the number that represents that 4.5 per cent, with the additional money from those pots we will lease some quota from the commercial sector, which will mean that, rather than increase the load on the resource, it will transfer from commercial to recreational.

The commercial side will be recompensed by the lease payment, but, importantly, it will mean that all South Australians wanting access to rock lobster pots will so have it; and very importantly, it will be a major tourism boost for many regional coastal towns of South Australia, caravan parks and whatever else. Along with this, we will have increased compliance. There will also be more monitoring of the recreational catch through both surveying and log books. In relation to fairness and sustainability, what we have come up with strikes a new balance, and for a lot of South Australians and many communities around the coast it will be a very welcome change.

GRIEVANCE DEBATE

Ms KEY (Hanson): It is with great sadness that I report to the House that yesterday I was advised of yet another death of a young friend of mine, who made a decision to commit suicide for reasons still unknown. As with many other people, he joins a list of young men in particular, but young people in South Australia, who decide to take their own life.

I was very concerned to receive a letter from the Parents Want Reforms committee, and I imagine that other members of the House also received this letter. The reason for my concern is that it seemed to me that the Parents Want Reforms committee was saying that they are really desperate about the assistance that is needed regarding the welfare of

children in the many areas which they cite in their documentation.

They talk about a number of common problems which they have identified, from system supports and leaving children home to avoid parental guidance through to what, in their view, is government's total inability to understand and to act on drugs in our society. They also talk about children associating with criminals and not being able to remove those criminals for the children's protection.

Some of the case studies listed in their documentation provide quite chilling reading. Unfortunately, those issues and case studies are not unknown to many members of this House, and I am sure that other members have received reports about the concerns their constituents and others have regarding children and also youth.

Putting aside some of the political opportunism that takes place in this House, I have also been concerned to witness the proliferation of a number of bills, mainly from Independent members but certainly from members of the opposition, dealing with issues ranging from young offenders; youth to be dealt with as adults; piercing of children; the selling of spray paint, about which I think we now have two pieces of legislation; the age of young offenders—not to mention the recent contribution by the member for Stuart regarding parental responsibility; and the member for Hammond's Controlled Substances (Drug Offence Diversion) Bill.

Although I understand and respect the reason why the members have brought many of these bills before the House, I also note with concern that there seems to be a feeling of desperation not only in the community but also in this House about how we deal with the many problems experienced by young people and children.

I also recall when I first came into this House the member for Torrens trying to get passed, with, we hoped, the government's cooperation, a very direct piece of legislation dealing with children selling lollies door to door. I think many members in this House will remember her valiant attempts over some two years to try to get some change in that area. If it had not been for the Shop Distributive and Allied Employees Union and also the retail traders—that is, the industrial parties to that area—absolutely nothing would have happened. If I remember correctly, they were aided not only by the member for Torrens but also the Employee Ombudsman. Despite all the promises, the government did absolutely nothing.

So, while I respect many of the bills that have been brought forward to us, this indicates that we have a really big problem. We have a government that is not listening, and the only action it seems to be taking—if any—is to come down hard on young people and children rather than looking at some of the alternatives that have been researched and put forward in other states of Australia as well as internationally. I refer to some of the family conferencing areas and support systems that have been put in place. We should take notice of the research done in this area and put in place different methods and support systems, including the community mentor scheme, as the member for Elizabeth says. I also point out that it is really important that people have a good look at the social inclusion initiative that our party has put forward.

Time expired.

The Hon. G.A. INGERSON (Bragg): Today I rise to speak about a very serious matter, and that is the appalling actions and behaviour of the member for Hart last night in this chamber and the strangers' gallery yesterday. The member ought to be ashamed about his behaviour and the way he brought this House into disrepute. The member said in this House last night that he confiscated recording equipment from a member of the Premier's staff. It is an interesting use of words. I suppose one could say that Ronald Biggs confiscated money from the train and that he is in fact the train confiscator. We could even say that Ned Kelly confiscated money from the Jerilderie bank. Most of us would use a different word to describe the way the member for Hart stormed into the strangers' gallery and took equipment that did not belong to him. Some are saying that he stole the goods; others are saying that it was an act of thuggery or stand-over tactics. Some are even saying it was a criminal act. I point out that some of the equipment was handed back last evening, but the disk was returned only at 1.55 p.m. today, just before question time. I wonder whether that has been interfered with as well.

What was the member's gripe? The member's gripe was that the Leader of the Opposition's speech was being recorded. What does that say about his budget speech? We all know it was shallow and had nothing in it, so why bother about its being recorded? It was so embarrassing that he had to record it. The potential Treasurer of this state lost his cool. If he loses his cool about a matter that has no major consequence for this state, what will he do when some pressure is put on him? What will he really do? We all know that this was a totally unbelievable reaction from the member for Hart. To go further, the member for Hart actually personally attacked a member of the Premier's staff. He did it in an undignified way. He also came into coward's castle—into this place—and fabricated stories about the special tricks of Young Liberals and the filming of Labor MPs. I believe that is a sign that he has really lost the plot.

One must wonder what the real agenda is. Is the agenda because the members opposite are fighting amongst themselves? Is that really what it is all about? Did the member for Hart get all upset because the leader was getting some attention and the member for Hart was concerned about it, or was it the member for Elder, the Conlon man? This was one of the most disgraceful things I have seen in the time I have been in this House. We all know about the Bracks option; is this the Rann or the Conlon option, or is it the Foley and Hill option? What options do we really have here?

It is my view that I should offer the Leader of the Opposition a little advice: just because you are paranoid, don't think that they are not after you. I can say with a great deal of experience that that is exactly what is happening on the other side. We have all seen what has been happening in this place in the last couple of weeks. All of a sudden, they are all running around and deciding who will have the white car. There are arguments on the other side about who will take all the spoils. That is what it is all about except, of course, for the member for Ross Smith. I think that he is the only one who is likely to get back into this place. The member for Ross Smith was a good deputy leader.

But let us get back to what happened last night. It was potentially a criminal act. Last night, a member of parliament deliberately stole goods from a person within the gallery of this place, and he retained those goods until 1.50 p.m. today.

Time expired.

Mr CLARKE (Ross Smith): I was going to talk about something else but, since hearing the former Deputy Premier, the member for Bragg, attacking my colleague the member for Hart, I would like to say a few words about that matter as

well. I was not in the House when it occurred although I did hear some things on the speaker in my office. I was intrigued that, given that there are speakers in just about every room in Parliament House as well as access to *Hansard*, a member of the Premier's staff would feel the need—not in the Speaker's Gallery downstairs; I believe it was in the Strangers' Gallery upstairs—to plug in a recording device (which from a gesture from the gallery it would appear he has with him at present) to record what the Leader of the Opposition had to say. Of course, if in fact what I am saying now is being recorded by a person in the gallery it would probably be in breach of parliamentary privilege as well.

The Hon. M.K. Brindal interjecting:

Mr CLARKE: Well, you are not over there so you don't know if it is being recorded, or not.

The Hon. M.K. Brindal interjecting:

Mr CLARKE: I know you think that you know everything but I fear for the youth and I fear for the employees of this state having their future held in the hollow of your head. That is what I fear the most, Minister for Water Resources. Clearly, the member for Hart had every right to suspect what might have been going on concerning an employee of the Premier, because why would you not have a tape recorder by the speaker in the Premier's office or the annexe next to it? Why bring a recording device into the chamber unless it is for some ulterior motive? There are plenty of things on the public record. The leader's speech is distributed to the media, it is piped throughout this building and it is recorded in *Hansard*. So, why would a member of the Premier's staff come in with a recorder and use the electrical devices or plug-in (or whatever it is) upstairs? Do not ask me technical questions on these sorts of things, but I understand it provides a better recording.

So, the member for Hart had every reason to take umbrage. All the equipment was returned. It highlights that this is an election year. Hooray, it is election year! I remember 1997 when the 36 squirrels—all on the other side and around this side of the chamber—wondering—

Mr KOUTSANTONIS: I believe, sir, that members in this place should be referred to by their electorate or their title. There are no squirrels in this place.

The DEPUTY SPEAKER: Order! There is no point of order. The member for Ross Smith.

Mr CLARKE: Thank you, sir: 46 honourable members and one weasel.

The DEPUTY SPEAKER: Order! Under standing orders, the member for Ross Smith will refer to members on both sides of the House by their electorates.

Mr CLARKE: Thank you, sir. As always, I accept your ruling. There were 36 honourable members of the Liberal Party queued up on that side of the House and along this side waiting to be shot. The point is that tensions will rise in an election year. Testosterone will run rife. Fortunately, there are more women in the parliament—particularly on this side of the House—and that will calm us down. They will make sure that we are imbued with a sense of conciliation, looking after one another, friendship and harmony.

We cannot speak for the other side of the House—the Liberal Party—but I suspect that they have seen the sword of Damocles not just hanging over their head but about ready to be lowered good and proper. So, naturally, they are getting tense and the testosterone is running wild through their veins. We will see more of this over the next six months, and I suggest that we all have a cold shower, a Bex and a good lie-down.

The Hon. G.M. GUNN (Stuart): The member for Ross Smith has again demonstrated to the House that there is a great deal of difference between the skills that he brought to the role of deputy leader and those of the present incumbent. The member for Ross Smith is doing the work but he is not getting the pay. I would suggest to the member for Peake that he listens very carefully to what the member for Ross Smith says and does in this House and one day he might make some advancement. I know that it will be difficult for him to make some advancement.

An honourable member interjecting:

The Hon. G.M. GUNN: It is all right, Patrick. We know that the honourable member is running around making peace offerings to the media in this building.

Mr Conlon interjecting:

The Hon. G.M. GUNN: Yes, you are. You are running around.

An honourable member interjecting:

The Hon. G.M. GUNN: That is unparliamentary.

An honourable member interjecting:

The Hon. G.M. GUNN: I have a few bouquets for you in a minute. Before we have finished, you will have a few bouquets. You and the shop assistants union have a bit coming. The Leader of the Opposition has the chance—

Mr KOUTSANTONIS: I rise on a point of order, sir. I refer to standing order 127, which relates to personal reflections on members. Since the start of his speech, all the member for Stuart has done is make personal reflections on members.

The DEPUTY SPEAKER: The chair is of the opinion that members in this place are able to defend themselves if they feel it necessary to do so. The member for Stuart.

The Hon. G.M. GUNN: The member for Peake is very fortunate: he is sitting next to the former deputy leader, and if he is really in trouble I know that the good nature of the member for Ross Smith will help out, because the member for Peake cannot rely on the current deputy leader. I was about to make the point that the Leader of the Opposition now has the chance to show some real leadership. He can follow the line taken by Premier Beattie in Queensland who rid the Labor Party of these branch stackers and people who get themselves involved in union rorting.

We have clearly on the evidence in this parliament a statutory declaration that the member for Spence has engaged in union elections. He is endeavouring to influence people, and yet the Leader of the Opposition at this stage has done nothing about it. I call upon him to show the same sort of fearless leadership that Premier Beattie displayed in Queensland. It may be to his long-term advantage. I do not know whether or not the member for Spence is a friend of Mr Farrell. If he is one of those being assisted by Mr Farrell and his group, I did not realise that he was a friend of the member for Spence. I know that the member for Spence is spending a great deal of his time trying to unseat the capable member for Ross Smith while at the same time being engaged in this union stacking. As far as the member for Peake is concerned, I understand that he is also a colleague—

Mr KOUTSANTONIS: Sir, on a point of order, I refer to standing order 127, which relates to impugning improper motives to any other member. I ask that you rule on this matter.

The DEPUTY SPEAKER: Order! The chair has already ruled on that issue. There is no—

The Hon. G.M. Gunn interjecting:

The DEPUTY SPEAKER: Order! The member for Stuart will take his seat. There is no point of order as far as the member for Peake is concerned.

Mr HANNA: Sir, I rise on a point of order. You made an earlier ruling that members in this place can defend themselves, yet when the member for Peake tries to do so, when he is implicated in the remarks of the member for Stuart, you afford him and no other of us any protection.

The DEPUTY SPEAKER: Order! There is no point of order. The member for Peake, the member for Mitchell or any other member can take the opportunity on a later occasion to defend themselves. The member for Stuart.

The Hon. G.M. GUNN: I thought I was paying the member for Peake a compliment; as difficult as it may be, I thought I was paying him a compliment. We know that he is the highest paid JP in South Australia. We know that: he has proved that beyond doubt. When I tried to pay him a compliment he was so confused that he did not even understand. He had better go down and get another briefing from Don Farrell. I know that he has some difficulties. Let him put on another staff member, so he can help you a bit more. Then you may make some progress.

Time expired.

Mr SNELLING (Playford): The recent furore in the United Kingdom over the retention of organs has given me cause to look at our own Transplantation and Anatomy Act 1983 in regard to the retention of organs and other tissues. I was disturbed to discover that, on reading the act, it seems to me to give medical practitioners fairly broad powers to retain tissues.

I refer to part 4 of the act, which relates to post-mortem examinations. Section 25 refers to the authority to perform a post-mortem examination, and sets out how a designated officer in a hospital can go about obtaining consent, or determining consent, to perform a post-mortem. The responsibility is placed on the designated officer to make inquiries as to whether the deceased had previously expressed any objections to a post-mortem examination being conducted and as to whether the senior next of kin have any objections to a post-mortem examination being conducted; it sets all that out.

Section 28 talks about the effect of authority under this part, and provides:

> (1) An authority under this Part is sufficient authority for a medical practitioner. . .
>
> (a) to conduct an examination of the body of the deceased person; and
>
> (b) to remove tissue from the body of the deceased person for the purpose of the post-mortem examination or for use for therapeutic, medical or scientific purposes.

So, the authority in section 25 (purely for a post-mortem examination, which any reasonable person would understand to mean an examination to determine cause of death) is then, in section 28, expanded not only for those purposes but also for therapeutic, medical or scientific purposes. It seems to me that any reasonable person or next of kin—or, indeed, a person giving a prior consent for a post-mortem examination—would presume that that post-mortem examination was purely for the purposes of determining cause of death. Yet in section 28 that consent is broadened under the act to include retention of tissue for 'therapeutic, medical or scientific purposes'.

It may well be that my reading of the act is insufficient, and I would be happy if the Minister for Human Services (who I understand has responsibility for the act) could report back to the parliament about this matter, because, if I am correct, I would very much hope that the government would consider some revision of the act.

I am a strong believer in the importance of post-mortem examinations, and I believe that it has been a problem of late that there has been a very sudden decline in the number of post-mortem examinations being conducted. I believe that they are important in establishing not only cause of death but also whether there was any malpractice, and, in relation to the hospital procedures involved in the treatment of the person, whether any problems were involved.

As I said, I am a strong believer in the importance of post-mortems, but I think that they have to be done with the full consent of the family and the understanding of the family about exactly what will happen. It would seem to me that it would be appropriate for the act to be amended so that a person could give consent for the post-mortem and then, if they wished, they could give further consent for retention of tissues for those other various purposes. It would seem to me that they should be separated, and not be a part of the same procedure.

The Hon. D.C. WOTTON (Heysen): This afternoon I want to talk about a couple of issues that come under the environment portfolio. I wish to express my pleasure on learning that the Flinders Ranges Bounceback program was successful in winning the national Banksia award for environmental restoration. Over a number of years, I have had the good fortune to be able to attend the Banksia awards as the minister for environment. This is a wonderful program, because it is an opportunity to recognise and acknowledge the good things that are being done by organisations and agencies, etc., in the environment portfolio. It also provides some inspiration moving towards more excellence in environmental management.

I also have had the opportunity to discover the wonderful work that the Flinders Ranges Bounceback team is doing through that program. The officers of National Parks and Wildlife are very committed to that program. It has been in existence for some time now and has achieved a considerable amount in regard to improving management of the area of land in the Flinders Ranges National Park and the Gammon Ranges National Park.

The success of the program can, I guess, be reflected by the fact that goats, rabbits and foxes are very low in number—historically low in number, in fact. Indeed, the Flinders Ranges National Park is now, effectively, fox and goat free. The recovery of threatened species has been just as dramatic, and I am told that there is also now a program to introduce brush-tailed bettongs into the park. This is an excellent program, and I am thrilled that it has received this award.

The Land, Bush and Waterways Management Award recognises that the Flinders Ranges Bounceback (an integrated broad-scale ecological restoration program) is, in fact, a national leader in environmental management. I congratulate all those involved, and I want to recognise the commitment of both volunteers and land-holders to the program, as well as those involved in the agency. It is an excellent example, as the minister has said, of a growing partnership between community, business and government seeking sustainable futures for our national environment. For that reason, I am also very pleased to learn that, as part of the state budget that

was handed down last week, the government will commit $350 000 to Flinders Ranges Bounce Back in 2001-02.

In relation to the portfolio, I want to recognise that many of South Australia's heritage properties will be assisted as a result of funding to help with restoration following a state budget increase of $1.25 million over four years. In fact, the heritage fund will receive an additional $500 000 in 2001-02 and $250 000 a year for the following three years.

I think that most members realise that the state heritage register currently contains over 2 100 registered properties which are both publicly and privately owned, all of which can apply for assistance with repairs and maintenance. All heritage properties located in the state's 1 800 heritage areas are also eligible to apply for funding support. Grants are allocated in a number of areas such as conservation plans, repair and replacement of roofing and guttering, masonry conservation relating to salt damp repair and repointing, and general painting and repairs. The heritage character of many of the state's towns is also protected and this fund will help those towns and people as well. I am delighted that funding is available to assist the built heritage in this state and I commend the minister and the government for that.

SELECT COMMITTEE ON GROUNDWATER RESOURCES IN THE SOUTH-EAST

The Hon. R.G. KERIN (Deputy Premier): I move:

That the select committee have leave to sit during the sitting of the House today.

Motion carried.

ESTIMATES COMMITTEES

The Hon. R.G. KERIN (Deputy Premier): I move:

That a message be sent to the Legislative Council requesting that the Treasurer (Hon. R.I. Lucas), the Attorney-General (Hon. K.T. Griffin), the Minister for Transport and Urban Planning (Hon. D.V. Laidlaw), and the Minister for Disability Services (Hon. R.D. Lawson), members of the Legislative Council, be permitted to attend and give evidence before the Estimates Committees of the House of Assembly on the Appropriation Bill.

Motion carried.

LAND AGENTS (REGISTRATION) AMENDMENT BILL

Second reading.

The Hon. R.G. KERIN (Deputy Premier): I move:

That this bill be now read a second time.

I seek leave to have the second reading explanation inserted in *Hansard* without my reading it.

Leave granted.

This Bill was first introduced into this place at the end of the last session. Extensive consultation has taken place since the Bill was originally introduced; however, no comments have been received in relation to the Bill. The Bill is therefore in the same form as originally introduced.

On 11 April 1995 the Council of Australian Governments entered into three intergovernmental agreements to facilitate the implementation of national competition policy objectives. One of these agreements was the Competition Principles Agreement. As part of its obligations under that Agreement, the Government gave an undertaking to review existing legislation that restricts competition. The Office of Consumer and Business Affairs has reviewed the *Land Agents Act 1994* ('the Act') as part of this process.

The guiding principle of competition policy is that legislation (including Acts, enactments, ordinances or regulations) should not restrict competition unless it can be demonstrated that—

- the benefits of the restriction to the community as a whole outweigh the costs; and
- the objectives of the legislation can only be achieved by restricting competition.

A Review Panel was formed to undertake this review, consisting of staff of the Office of Consumer and Business Affairs and an independent member.

Land agents and their sales representatives provide a range of services to both vendors and purchasers in relation to the sale of land and businesses and are involved directly in one of the most important and expensive transactions—the purchase of real estate or a business—that a consumer is likely to encounter.

Consumers are therefore placed at risk of significant financial loss if agents or sales representatives are incompetent, negligent or dishonest. While complaints against land agents have been few in number, the extent of losses suffered by consumers as a result of the actions of agents or sales representatives is usually significant.

In accordance with competition policy principles, the Review Panel considered various less regulatory alternatives to the Act, including complete deregulation, self-regulation by industry bodies, co-regulation by industry bodies and government, a system of certification, and restriction of title legislation. It concluded that these alternatives are not viable for ensuring that the current level of consumer protection is maintained.

However, while the Review Panel has concluded that the retention of the Act can be justified, certain provisions of the Act cannot. The Act contains several provisions that restrict competition through the creation of structural restrictions on entry into the market.

Section 8(1)*(b)* of the Act provides that a person is not entitled to be registered as a land agent if they have ever been convicted of an offence of dishonesty. Similarly, under section 11 a land agent commits an offence if the land agent employs a sales representative who has been convicted of an offence of dishonesty. Further, a person commits an offence if that person is employed as, acts as, or holds him or herself out to be a sales representative and he or she has ever been convicted of an offence of dishonesty.

These provisions were found by the Review Panel to have a negative impact on competition through the creation of barriers to entry into the market, as they permanently preclude people from the industry, no matter what the severity of their offending or how long ago it occurred. While the Government is firmly of the view that probity requirements must remain in place in the legislation, it is acknowledged that 'an offence of dishonesty' has a broad meaning in law, and in certain cases acts to exclude people from operating in the market where the offence bears little relevance to the work of a land agent or sales representative. Such outcomes are contrary to competition policy principles and the proposed amendments in this Bill are intended to ameliorate the effects of the provisions.

Clause 4 of the Bill provides that the present prohibition on convictions for offences of dishonesty is to be removed and replaced by criteria under which convictions for summary offences of dishonesty will preclude a person from obtaining or holding registration as a land agent for a period of ten years, while any convictions for the more serious class of indictable offences of dishonesty will result in permanent prohibition from registration.

Clause 5 of the Bill makes similar provision in relation to the employment of people as sales representatives and the entitlement of a person to act as a sales representative. Under clause 5, a person must not employ another as a sales representative if that other person has been convicted of an indictable offence of dishonesty at any time, or has within the period of 10 years preceding the employment been convicted of a summary offence of dishonesty. Further, a person must not act as a sales representative if they have been convicted of an indictable offence of dishonesty at any time, or have been convicted of a summary offence of dishonesty within the period of 10 years preceding their acting as a sales representative.

Clause 3 of the Bill is a minor housekeeping matter and contains a consequential amendment to the definition of 'legal practitioner' and provides that this term will have the same meaning as in the *Legal Practitioners Act 1981*. This will allow uniformity of regulation, following the amendment in 1998 of the definition of 'legal practitioner' in the *Legal Practitioners Act 1981* to include interstate legal practitioners and companies that hold practising certificates.

Since coming to office, one of the key objectives of this Government has been to undertake a comprehensive micro-economic reform program to ensure competitive market outcomes for both consumers and business. As a necessary part of this reform, it is

sensible to amend legislation that imposes unnecessary and unjustifiable restriction on the market. Accordingly, the Government has accepted the conclusions and recommendations made in the Final Report of the Review Panel, and this Bill will allow the necessary amendments to be made to the *Land Agents Act 1994*.

I commend this bill to honourable members.

Explanation of Clauses

Clause 1: Short title

Clause 2: Commencement

These clauses are formal.

Clause 3: Amendment of s. 3—Interpretation

This clause amends the definition of 'legal practitioner' in section 3 of the principal Act. The term currently means a person admitted and enrolled as a practitioner of the Supreme Court of South Australia. This amendment extends the meaning to include companies that hold a practising certificate and interstate legal practitioners who practise in this State.

Clause 4: Amendment of s. 8—Entitlement to be registered

This clause amends section 8 of the principal Act, which deals with the entitlement to be registered as an agent under the Act. Currently a person is not entitled to be registered as an agent if he or she has been convicted of an offence of dishonesty. A body corporate is not entitled to be registered as an agent if any director of the body corporate has been convicted of an offence of dishonesty. This amendment in each case changes the restriction from not having been convicted of an offence of dishonesty to one of not having been convicted of an indictable offence of dishonesty or, during the 10 years preceding the application for registration, of a summary offence of dishonesty.

Clause 5: Amendment of s. 11—Entitlement to be sales representative

This clause amends section 11 of the principal Act, which deals with the entitlement of a person to be a sales representative. At present a person cannot be employed as or act as a sales representative if he or she has been convicted of an offence of dishonesty. This amendment changes the restriction to one preventing a person from being employed as or acting as a sales representative if he or she has been convicted of an indictable offence of dishonesty or, during the preceding 10 years, a summary offence of dishonesty.

Mr FOLEY secured the adjournment of the debate.

CORPORATIONS (COMMONWEALTH POWERS) BILL

Adjourned debate on second reading.

(Continued from 5 June. Page 1764.)

Mr FOLEY (Hart): These are bills that I understand have been dealt with in another place by the Attorney-General and have been extensively debated and questioned in the upper house. While the Deputy Premier is clearly a man of great breadth of knowledge on many things, given that he does not have his adviser next to him, I will not put him under the pump. The opposition is happy for this bill to move to the third reading stage, given that the bill, I understand, has been extensively debated and considered in another place. At the end of the day, it simply brings South Australia into line with other states in terms of the national code for Corporations Law. It has been agreed amongst other states and the commonwealth, and the opposition will support it and its passage through to the third reading.

The Hon. R.G. KERIN (Deputy Premier): I thank the member for Hart for his cooperation, as always. As he says, this bill reflects the commitment of the South Australian government and, obviously, the opposition to achieving what is in effect a uniform treatment of Corporations Law across Australia.

Bill read a second time and taken through its remaining stages.

CORPORATIONS (ANCILLARY PROVISIONS) BILL

Adjourned debate on second reading.

(Continued from 5 June. Page 1765.)

Mr FOLEY (Hart): Consistent with what I said previously, we are happy that this bill pass through to the third reading.

The Hon. R.G. KERIN (Deputy Premier): Again, I thank the member for his concurrence and wish the bill a speedy passage.

Bill read a second time and taken through its remaining stages.

CORPORATIONS (ADMINISTRATIVE ACTIONS) BILL

Adjourned debate on second reading.

(Continued from 5 June. Page 1766.)

Mr FOLEY (Hart): Again, I am happy for this bill to go through to the third reading.

The Hon. R.G. KERIN (Deputy Premier): And, again, I thank the member and the opposition for their cooperation with this.

Bill read a second time and taken through its remaining stages.

STATUTES AMENDMENT (CORPORATIONS) BILL

Adjourned debate on second reading.

(Continued from 5 June. Page 1769.)

Mr FOLEY (Hart): I am happy for this bill to move through to the third reading.

The Hon. R.G. KERIN (Deputy Premier): I thank the member for Hart and the opposition for the speedy passage of this package of bills. As the member said, they were debated at length in the upper house and there is a bipartisan view. So, I thank them for that.

Bill read a second time and taken through its remaining stages.

WATER RESOURCES (RESERVATION OF WATER) AMENDMENT BILL

Adjourned debate on second reading.

(Continued from 1 March. Page 1020.)

Mr HILL (Kaurna): I am glad to see that the House is packed with all those interested members wanting to debate the water resources bill! During question time, the minister made the comment that last night in my response to the budget I used 82 words relating to water resources. Since the minister raised that matter, I have had an opportunity to point out to him that the Treasurer used only 12 words to refer to water, and not one person on the government benches made any reference to water in any of their speeches last night. I include in that the minister, who did not speak on the issue. Before he starts criticising us, he should be a little careful.

An honourable member interjecting:

Mr HILL: There is one member who is a bit interested. We are yet again looking at the issue of water resources in the South-East. I understand that the minister will move some subsequent amendments to the proposal now before the House, and I will talk about them in passing. The main provision today is to give the minister a power to reserve a volume of water in an area which has been proclaimed.

I will just explain a little for the record and for members of the House who are interested in this issue why that is being suggested. When the select committee into South-East water reported some time ago, one of the recommendations was that unallocated water should be handed out or distributed on a pro rata basis. This was the move which the member for MacKillop had strongly supported and advocated and which, after the report made that recommendation, allowed him to get back into the Liberal Party. When it moved that, the committee expected that all unallocated water would be distributed on a pro rata basis among those persons who had an interest in having water. We did not expect that there would be any left over. But, of course, the reality is that it did not work that way. The department chose a fairly narrow interpretation of our words, and in the end a certain amount of water was not allocated. So, what do you do with that water?

One option would have been for the government to allow the pre-existing system to persist. That is a system whereby any potential developer could come into a region and, if there was unallocated water, could put their hand up for it and take virtually as much of it as they could demonstrate they had a need for. That is what happened in the past. That is what caused a lot of the grief, waste and speculation. The alternative way of dealing with that water was for the minister to reserve it and, I guess, hold it in his care, and then allocate it on some sort of basis of need in the future. The opposition supports that principle. We think that is the correct way of proceeding. We have some amendments on file, and I will go through some of those as I address some of the detail of the provision. The basic position is that the opposition supports the general principles in the bill, but we would like to amend it in a number of ways.

There are a number of advantages to the reservation system that is proposed by the minister. The first of those relates to the issue of forestry. We have a dispute in the South-East about how forestry should be taken into account in what might be called the total water budget. Forestry accesses water that otherwise would go into the catchment which would then be used by irrigators somewhere else in a particular area. If you allow forestry to develop at a rapid rate, it potentially eats into the water which would be used by other irrigators, so in some way it has to be taken into account. If there was a reservation of water and forestry was allowed to develop, the minister might be able to use that reservation to look after the forestry industry. That seems to me to be one possible way. We have a select committee looking at that, and I do not want to pre-empt what it will recommend, but that is one option.

The second option for the minister with this reservation of water would be for environmental purposes. Already some sort of amount is taken into account for the environment, but it may well be that in certain areas or certain hundreds a particular issue or concern arises where the minister wants to hold back water for a period just to make sure that the environment is protected.

A third issue is a strategic one, and the minister mentions this in his second reading speech without giving examples. However, it would be worth putting on the record a couple of examples. It may well be that in an area where there are a large number of dairies—for example, in the lower part of the South-East—there is an opportunity to get a milk manufacturer or a cheese producer to come into the area at some stage in the next few years if water is available. The minister may decide to hold on to that reservation for a period in anticipation of that development occurring, or even use it as an incentive to get that development into the area. That is quite sensible: it will be to the benefit of the state, and it will not be environmentally detrimental. There is a good argument for having the reservation principle.

The question I would ask is: why set it at 20 per cent? The bill provides that, in a proclaimed area, when the allocation reaches 80 per cent and there is only 20 per cent or so left, the minister can then start exercising that discretion. Why leave it until then? If there is 30, 35 or even 40 per cent in the area—it would be unlikely to have a proclaimed area where more than 40 per cent was available for reservation—why not allow the minister to reserve all of that where the circumstances are right? He has a discretion. He does not necessarily need to reserve all the 40 per cent, but he may choose to reserve 25, 30 per cent, or whatever. Why set it at an arbitrary figure of 20 per cent?

I understand that the water resources department gave the minister the same advice as I am giving him; that is, do not set it at an arbitrary level but reserve the whole amount if more than 20 per cent is available. This bill gives a very broad discretion to the minister, and I must say that I have some concerns about the breadth of that discretion. It is up to the minister to determine who gets the water, what business gets the water, how much they get, the time they are given it for—

Mr Clarke: Is it just this minister or any future minister?

Mr HILL: Any future minister. The minister is a perpetual kind of entity. It could be this minister standing in front of you. The minister has a discretion as to who gets it, how much they have to pay for it, how much water they get and the period time over which they can access the water. There is no description of the process he has to go through to make a determination. There is no appeal process. All he has to do is give notice in the *Gazette* and publish certain facts. That discretion is too broad. My amendments seek to limit that discretion in a number of ways. The first of those ways is by regulation. The opposition believes that the decision about reservation and about how that water should be distributed should be done by regulation; that is, the parliament should have an opportunity to question the issue. The parliament should have an opportunity to review any decision made by the minister.

The second issue in terms of limiting the discretion is to do with publication. Certain facts are required to be published under the existing bill, and we are suggesting that more facts should be required in terms of publication. As I said, I have some concerns which I will raise in the committee stages and, although I do not necessarily have amendments, some amendments perhaps could be brought forward along the lines that I am about to discuss.

The question about how the minister will exercise his discretion is one that troubles me. From whom will he get advice? Will the situation be where the minister sitting in his office gets a phone call from someone he knows in the South-East who says, 'Listen, minister, I want to have this big development; I want to grow some more grapes; I have a vineyard in mind; I've got no water'—

Mr Clarke: Are you thinking of Dale Baker?

Mr HILL: I am not thinking of anyone in particular. I am thinking of someone who is well connected, who could get through to the minister by phone and who could say, 'I've got this property in mind. I know that you have 20 per cent of the water supply up your sleeve. How about letting me have access to it at a favourable rate and we will look after you later?' No process is described in the bill. The minister has complete discretion, so I want to ask questions about that. I want to know whose advice he would have to get. Once the minister has made his decisions, I want to know whether they should go to the Economic and Finance Committee for the same sort of scrutiny that the water allocation plans, for example, go through after they have been determined by the catchment authorities. There is a question here of favouritism and even of corruption, and we have to make sure that whatever process we put in place is transparent so that even straight and honourable ministers cannot be accused of favouritism, patronage or corruption.

Another question that I would ask the minister is why the relevant water allocation plan does not apply to the reserved water. Why is it to be treated differently? What is the impact of doing that? Under the bill, the minister may require payment for the water, but he does not have to do so. How will he determine what moneys should be paid? Will he take into account the market, or will he take into account the nature of the application for the reserved water? I have some concerns about the way in which that process will operate. It needs greater scrutiny.

The bill also does not allow transfer of the water that has been allocated from this reservation, and that raises some issues. For example, if a business were to sell its property to another entity, would not a transfer be allowed in those circumstances? If a person who had a farming or irrigation operation died, could not a transfer occur to the son or daughter? There may well be some harshness in the legislation that we need to explore. As I said, I am also interested in knowing how the minister will operate in the marketplace. How will this reserved water operate in the marketplace? What effect will it have on the market? Will the minister be able to use it to undermine the market, to weaken the market, or can it be used in the reverse way? By holding onto a reserve of water, can he strengthen the market and push up prices? I am just giving the minister notice that they are questions that I will ask during committee.

The final matter in the bill concerns appeal rights. The opposition supports the right of appeal for someone who has not had an allocation given to them. This is an appeal right not for someone who has not been given reserved water but generally for those who have not been given water allocations. That seems sensible and appropriate.

I turn to the two amendments that the minister has tabled. One allows for retrospective collection of penalties for those who have overused or taken water without permission, and they go back to the years 1997-98, 1999-2000 and 2000-01. The opposition has some concerns about that measure. Apart from the retrospectivity of it, which I guess is always a reason for having concerns, there is a particular issue in relation to the years 1997-98. As the minister knows, the Ombudsman has been involved in assessing a number of persons who have been penalised for taking water in that time. The government did not correctly follow the right procedure, or the procedures were inaccurate in some way. The Ombudsman's office has been involved, and he is assessing what can be done in these cases, so there is an issue of justice in relation to that year in particular and to a number of water licence holders and users for that year.

I understand that, in relation to the two later years, the department has not yet sent out the penalty notices. However, if this bill goes through with this measure contained therein, they will be sent out pretty swiftly. So, there is an issue of retrospectivity. We have particular concerns in relation to the first year, and I know that the member for Taylor has special concerns given the interests of her constituents. The opposition will be asking the minister questions about that provision and we will be seeking clarification and some commitments before we decide how we will vote on the issue.

Obviously, opposition members oppose the illegal taking of water, but there is an issue of justice in this as well, and we want to make sure that those interests are protected. We look for some commitments from the minister during the consideration of the clauses in committee before we determine what we will do, and we may seek some amendments in another place at a later date, depending on what comes out of here today.

The final issue concerns contiguous land, and the opposition supports the amendment which basically corrects an error in the former bill which would allow large land-holders who lease properties to a variety of people to pay only one bill. That was not the intention of the original act, so we support that amendment.

As I said, we support the general principle that the minister should be able to reserve water. We have some amendments to tidy up the process a bit and put some transparency into the process, and we have a number of questions we want to answer as we go through. Other than that, the opposition supports these measures.

Mr WILLIAMS (MacKillop): I am disappointed that we need this amendment to the act because, as the member for Kaurna said, the recommendation of the previous select committee was that the unallocated water in the South-East be allocated on a pro rata basis. I continue to have discussions with the minister on that issue because it is my firmly-held belief that the way the pro rata roll-out was handled by the department, for whatever reason, was seriously flawed. If it attempted to adhere to the letter of the recommendations made by the select committee, certainly it did not adhere to the spirit of those recommendations.

Indeed, that is borne out by the department's response to the select committee's recommendations. In my opinion, the response acknowledges the spirit of the major recommendation of the select committee that the remaining water be allocated on a pro rata basis. As the member for Kaurna just said, it was the select committee's opinion that water would not be left over after the completion of that pro rata process. In reality, there was always going to be some water left over because, as departmental officers have said to me, they cannot force people to take a pro rata allocation if they do not particularly want to. I also recognise that there are certain pieces of land that belong to the Crown, whether they be Crown reserves or roadsides, on which there was no interest to take out an allocation.

It was never the intention of the committee for those portions of land to receive a pro rata allocation, but it was certainly an intention of the committee that, if the water were to be unallocated in a particular area, the opportunity be given to a land-holder to have a pro rata allocation, that is, an allocation which would allow that piece of land to have access to the rainfall that fell on that piece of land. We are

principally talking about that portion of the rainfall which we call recharge and which, for one reason or another, manages to escape beyond the root zone of the plants growing on the land and eventually percolates through the soil profiles until it enters the unconfined aquifer underlying the land.

The reason that I have worked vociferously for a long time to achieve that sort of allocation system is exactly to overcome the problem with which the new select committee will be grappling over the next period; that is, what do we do about land change issues. The problem with the water allocation system with which we are saddled in the South-East is that there is no relationship between a water licence holder and the catchment that provides the water which underpins that licence. There is no responsibility borne by the water licence holder. Even though the water licence holder may be able to influence catchment, under the allocation system that we have instituted there is no way that they can sheet home any responsibility for recharge to those people who are utilising water licences.

That is a serious flaw, and I do not mind putting on the public record the fact that history will prove that that serious flaw will remain a great difficulty until, at some time in the future, it is corrected. I believe that the longer we wait to correct that flaw, the more difficult it will be to correct and the more angst will be suffered by the people who will be influenced by it. We have the incredible notion put about by some people in the South-East that you can draw a line on a map, and to the north of that line you will encourage the plantation of deep rooted perennial plants to try to draw down the water table—because it is obvious to anyone who has been there and had a look, or indeed read the literature, that we have salinisation problems—and then south of that line you have the absolute opposite, so you discourage people from planting deep rooted perennials because you want to protect recharge because of this flawed licensing system.

Solomon would be unable to draw that line on the map, and I feel very sorry for land-holders who, in the future, will be attempting to go about their lawful business, farming the country to make a living for themselves and their family and who will live close to that arbitrary line: it will create nightmares because we have this flawed allocation system. That is the history of this matter and I repeat: I think this parliament will grapple with this issue for many years yet because of the serious flaws that we have in the system, and we will never put it to bed until we address those flaws. Anyhow, what we are doing today is incrementally making changes to improve the system.

One of the problems that we have created in the South-East is that the water resource is unlike the other major water resource we have in South Australia, that is, the Murray River. It is a water resource where the water is indeed excess, but it is a different sort of excess from that which we get in the Murray River. In the Murray River it is run-off. The catchment feeds in via the Murray-Darling Basin and the tributaries of the Murray system. It is held in various man-made reservoirs and dams, and then distributed for the requirement of irrigators along the river. The situation we have in the South-East is that the natural tank of water underlies the land and is replenished by recharge. However, there is a whole plethora of land management practices which can affect that recharge and this is where the flaw to the whole system arises.

I do not believe that the people trying to manage the licensing system can manage the way in which landowners and land managers affect the recharge under their land. We have picked on forestry because we can probably manage forestry—we can probably ban forestry in certain areas because it is so visible—but as a practising farmer (and having been a practising farmer for virtually all my life) I know through scientific experiments conducted on my property that by doing things as simple as increasing your fertiliser rate, you will increase the amount of water taken up by the pasture on your property, and therefore, conversely, you decrease the amount of water getting through to the aquifer as recharge. That is just one simple thing.

You can change your pasture species. The amount of water that is taken up by pasture species depends on two or three things, but largely it is the potential of the plant to take up water. That is largely determined by the amount of sunlight, the energy that the plant can absorb and the amount of leaf area on the plant. Another important factor that determines the efficiency of individual plants is the root depth of the plant. We are in the age of genetic engineering, genetic modification, and I believe it will only be a very short number of years before at least one of the major grass species which is used throughout the South-East—rye grass or, say, phalaris—is genetically modified so that, instead of the roots going into the first half metre of the soil profile, the roots will be able to reach down through the first couple of metres.

As soon as that plant arrives on the scene in the South-East, everything we have done with regard to water allocation will be thrown out the window because, if you study how recharge occurs, it only occurs in May, June, July and August when the natural rainfall exceeds the natural evaporation and you get an excess of water, which then is able to percolate through the soil profile beyond the plant root zone. The amount of rainfall that we have in the South-East will be contained in the top two metres. As soon as there are plants whose roots extend more than two metres below the surface as in a forest, whether it be pine forest or blue gums—and I suggest that it will not be very long before we have rye grasses and phalaris that will do that—they will have the potential to utilise all the rain that falls on the land.

How we police that I do not know. I do not believe it is possible to police it. If you drive around the roadsides of the South-East, you will see that the common Australian phalaris species has taken over the roadsides. All you would need to do in the South-East is take a handful of a new variety of phalaris with a longer root run, throw it down on a roadside somewhere and in not a great number of years it will be growing across the South-East of the state, it spreads that efficiently. It is not something we can police. I am highlighting the problems we will have in the future.

Having reached the position we have, quite substantial amounts of water remain unallocated because of the flaw in the way in which the pro rata roll-out occurred. One of the things with which I have always agreed is that we do need to have an efficient trading system of water. We can never set up a trading system where some of the water is allocated and some water is unallocated and available for anyone to apply for. We would have the ridiculous situation where you would have that in some areas, yet some fully allocated areas would be next door. I do not understand the minister's de facto proposal to create fully allocated areas across the South-East by reserving up to 20 per cent of the water. I certainly agree with the point made by the member for Kaurna that the 20 per cent figure is quite subjective and question why that was selected. I agree with the member for Kaurna, I do not understand that. It has never been explained to me that there is any good science behind it.

Returning to the principle of reserving that unallocated water to get the market operating, to be quite honest, where there is unallocated water in the hundreds in the South-East there is no pressure to get the market going, and I do not believe there will any pressure for some considerable time. But I do believe that we have to institute mechanisms which will create the market, particularly across the fully allocated parts of the South-East where there is pressure for water, and we all know there is a hell of a lot of water that is allocated but unused at the moment. That is where we have to start the market operating. The minister's proposal here is to de facto fully allocate all the water right across the South-East and then get the market operating, because we have to change the mindset of the people in the South-East. I cannot understand people in, say, the Naracoorte Ranges, where you hear all sorts of figures at which water is trading—over $1 000 a megalitre—at a higher rate and greater value than it trades for in the Murray River in this state.

There are many megalitres of what we call sleeper licences or unused allocations in which land holders do not seem to have an interest, not even for leasing. Surely they could make a substantial income by leasing them, but that is how immature the market is. We have to overcome that in the first instance so that, in those areas where there is pressure and demand for investment and the generation of more wealth in the South-East, we can get this market up and running as soon as possible. That is why what the minister is doing here is a sound move, and it is one that has my full support.

I also have some concerns about the other points the member for Kaurna raised about making sure that any future allocations from that reserve pool are done in an open and honest way. I think it would be best if it were out in the open. I have always had a picture in my mind of a marketing system in the South-East which would work not unlike the way we see shares traded on the stock market. Every water licence would be listed on a board and there would be a tick in a box indicating whether or not it has been used and whether it is for trade—even if it is being used it can be for trade—and the owner of the water licence would list the price at which he would be willing to trade.

Obviously there would be two prices: one would be a sale price and the other would be a for lease price. Then, at the other end of the market, just as you get on the share market, you would get potential buyers or lessees coming in and putting their price. It would not be very difficult then for the managers of the market—whoever they be, whether this be done through the department, the catchment board or some independent private organisation—to set the going rate so that you would be able to see what is happening, just as we see published in the daily press the price of any share. That would happen for water in any part of the market or any management area.

It should be provided in the legislation that the minister would not make water available outside a certain range of that daily, weekly or six monthly value. It is the principle I am trying to get to here. I would like to see that in the legislation. I would certainly hope that there would be a regulation, but I would like to see provided in the legislation that any minister would not be able to make water available out of the reserve pool unless it was within a certain percentage of the going rate at the time. I think it could be argued that you could actually charge a premium for that water and have it at, say, 10 per cent above the going rate. Or, if you wanted to drive investment in the area, it could be argued that you could set a discount of 10 or 15 per cent. It would be good for all the players and increase the maturity of that market to have that known by all players before we started.

I am interested in the member for Kaurna's suggestion that he may move some amendments. I tried to get a copy of them earlier; they are on my desk now and I have not had an opportunity to look at them, but I hope to consider them further in committee. I commend the bill to the House.

Mr McEWEN (Gordon): I think it is unfortunate that the minister is even in the House this afternoon wasting both his time and ours dealing with a couple of quite insignificant and trivial matters when 12 months ago he told us that he would address four fundamental issues, and none of them is yet before this place. Let me first remind members of the four issues which he said he would address and on all of which he has failed. The first is land use change. The minister gave us a commitment a year ago that he would deal with land use change, and what has he done? He has flicked it back to the select committee hoping that matter would eventually go away. He told us he would deal with double dipping. Double dipping means that people can sell their water and then turn around and enter into an activity which takes that very water away. He said he would deal with that a year ago; we still have nothing.

He told us first on 16 September last year and, I might add, followed up on a commitment Minister Kotz gave, that if you applied for a pro rata water allocation—in other words, a water holding licence—you would pay a levy. He told us that on 16 September last year; he told us at public meetings at Casadio Park, at the International Motel and in Penola. He wrote to the catchment board and said he wanted a levy for water holding licences and, what is more, that levy should be equal to or more than a water taking levy. He then wrote to the Economic and Finance Committee and said, 'I support the South-East catchment board's plan that has no levy in it.' The minister should not be here this afternoon; he should be fixing these fundamental flaws in the whole legislation. Why he is in here wasting our time I do not know. Finally, he said he would create a water market. One of the things his amendments do this afternoon is stop the creation of a water market. So, while he should be going forward at 100 miles an hour he is actually taking us backwards, albeit at snail pace.

Let us come to the three issues we are dealing with this afternoon. The most trivial of them is simply to amend the original act. When they amended the original act to try to capture contiguous land use they also captured an unexpected event, which was that if you owned a block of flats you captured all of them as one levy, even though you did not occupy them. They made a mistake, and we are back here for the third time fixing up that flaw. In fairness to local government, which has to pay that levy and collect it back, they are the ones who are out of pocket, not the minister, so he should fix it up.

The second thing he is telling us to do today is amend the act in relation to declaration of penalties. Extraordinarily, he is suggesting that after the event you can be told what the penalty will be. So, you can take extra water during the summer and then find out at the end of the accounting period what the penalty will be. Again, what a dumb idea! The third thing he is suggesting today is contrary to everything he has said, and that is creating this reserve. You cannot have a reserve and a water market. The only way you get a water market is for all the water to be available, and then people make commercial decisions about whether they will use it,

reserve it or trade it. But, if you have a backdoor way to get some water out of the minister, why would you go to the market?

Why would you go to the market to purchase water at a price when you know that a few political needles will get a bit of water out of a minister who has this little drawer full of water? It is a dumb idea to start with, and it is a politically dangerous idea, irrespective of who is in power. I do not want this minister or the shadow minister to have a water reserve. It is contrary to the whole concept of a water market. We do not want any damned reserves, so we do not want that amendment. The amendment about a penalty is dumb because it is after the event; the minor amendment about owner or occupier is just fixing up an earlier mistake; and the four fundamental issues that the minister should be addressing remain unresolved, a year after he gave a pledge to a deadlock conference that he would come back and fix them. On that basis we allowed the creation of the pro rata water licences and therefore the water holding licences to go ahead.

We should never have allowed it to go ahead, but he said, 'Trust me; I will come back.' A year later we have the fundamental flaws and we do not have a water market. A year later he is actually damaging what he and Minister Kotz committed to at the time. He is actually opening the door now and suggesting that there may not even be a levy on water holding licences. Again, if there is no levy, how can there be a market?

Why is this minister wasting our time this afternoon? Why is he not dealing with the fundamental issues that he said he would deal with 12 months ago? We brought parliament back early to give him the opportunity. I know he does not like making decisions but he will have to make one some time before midnight tonight, because tomorrow is the last day parliament sits this financial year. So, tomorrow is the last day that we will have an opportunity to accept or reject the South-East catchment board levy.

The Economic and Finance Committee has sent it back to the minister—and rightly so. We have said to the minister, 'This is contrary to everything you and your party stands for, and it is contrary to everything that you have said in the last 12 months. You must have made a mistake. Have another look at it.' Have we seen it since? No. We should have dealt with it today but we have not seen it. We have created the opportunity to meet later today if we need to. Either way, tomorrow is the last day for this parliament to either accept or reject the plan. Why is the minister wasting our time in this House? I do not know.

Mr HANNA (Mitchell): I rise to support this bill. It is a topic in which I have taken an interest since sitting on the Select Committee on the Murray River. Obviously, the issue of allocation of water is something that affects all South Australians, although this bill seems to be borne out of problems in the south-eastern part of the state.

Before addressing the bill, I want to make a few remarks about the minister's approach to the water allocation issue. Because it is an issue where genuine and rational beliefs can be held on both sides of the debate, it is really unfortunate that the minister has descended into crude politics when dealing with the issue. We saw an example of that during question time when the minister counted up the number of words that the shadow minister uttered in relation to the Murray River and then accused the shadow minister of neglecting the issue. That is really offensive, especially since I know that the minister has not only been informed but also influenced investigations of the Select Committee on the Murray River. I know he has learnt a lot from the process initiated by the member for Kaurna (shadow minister for the environment), so it is regrettable that the minister seems to make a political football out of the issue. The extent to which the minister attacks the Labor Party on the issue seems to rise in correlation to the difficulties within the Liberal Party on it.

I also refer to the contribution made by the member for MacKillop. It seemed to me that the member was essentially speaking against the bill. If he is honest, he will vote against it on the second reading. I suspect, though, that, as 'Switch' Williams, as the member for MacKillop is known, has rejoined the Liberal Party, he will be voting in line with the minister, despite his expressed reservations. Talk means nothing; his vote will reveal his true position on the matter. However, the member for MacKillop did make some good points about the water market. I believe there is a general consensus that we do need to move towards a market for our water resources in this state, whether they be from the Murray River, rainfall or underground water. I can appreciate what the member for MacKillop said about that issue.

The member for Gordon addressed the issues pretty well and, certainly, in relation to the problems for contiguous landholders and the diminution of revenue for the government, I do not think anyone in the chamber has any problem with that. I differ with the member for Gordon with respect to his comments about water reservation by the state (that is, in the hands of the minister) being contrary to the progress toward a water market. It seems to me that if the state can soak up the surplus water that might be allocated but unused or, in a sense, unallocated water, it will be a tighter market where trading is more likely for those people who want to use it.

Mr McEwen: An artificial market.

Mr HANNA: It may be an artificial market but, even if we create an artificial market, we will create efficiencies in the way that water is used. I believe that is a reasonable policy for the state to pursue. With those remarks, I support the bill and will support the amendments moved by the member for Kaurna, who is also the opposition's shadow environment minister. There is no doubt that the amendments will improve the bill.

Ms WHITE (Taylor): I do not have enough time to cover all the issues that I would like, but I want to raise just a few issues of concerns about the way in which the minister is managing his portfolio with respect to water and the impact it is having on the irrigators in the Northern Adelaide Plains in my electorate.

The member for Gordon raised one issue that I was going to raise myself to do with the minister's introducing legislation in this House without addressing some other issues that he has been asked to address time and again. One of those, of course, is in line with the recommendations made by the Economic and Finance Committee to the minister recently to amend the South-East Catchment Water Management Board's levy rate proposals. As the member for Gordon said, that recommendation dealt with the minister's undertaking about how water levies would apply not only to the amount of water that is used but also to holding allocations. There is an unfairness that quite irks me in this. In the Northern Adelaide Plains, growers are charged not only for the amount of water they use but also for their allocation.

In the South-East, the proposal is for a .15¢ per kilolitre water use levy and no water holding levy. In the Northern Adelaide Plains, they pay .5¢ per kilolitre and have done so since the levy was introduced, which is quite a few years. On top of that, they also pay .5¢ per kilolitre on their water allocation. So, you might look at it as being, effectively, $1 per kilolitre if they use what they have been allocated, compared to the proposal for .15¢ per kilolitre on what is used in the South-East.

Other regions have different penalty rates, with the Murray region being somewhere in between those at, I think, one-third of a cent per kilolitre. So, there is that differential, which is allowed under the Water Resources Act. However, one can understand the ire of the growers in the Northern Adelaide Plains when they see preferential treatment being given to the South-East irrigators in relation to themselves. Their argument is that sectors of the horticultural industry—for example, almond growers, fruit growers, and so on—are competing with similar growers in other regions in the Murray and elsewhere who pay a different rate. That is an issue of concern to them. I raise that matter because it sets the scene for some of the discontent in the Northern Adelaide Plains towards the way in which the department and the responsible ministers have treated the growers in the past and up to today.

The Northern Adelaide Plains growers feel very strongly that they have gone a long way towards cooperating with the government in respect of the very big changes that have come into effect recently. The introduction of a levy took quite some cooperation. There was a lot of resistance. We went from a situation where growers were not paying for water, and now they are paying for water. That is a big change in attitude for growers—and the government was trying to encourage a change in attitude there. The representative associations—the Virginia Irrigators Association, the Vietnamese irrigators group and representative bodies—feel that they cooperated with the government in enabling the changes in the system to be implemented. They support the charging of penalties to those who are abusing their entitlements in a gross manner; no-one argues against that. But what they are after is fairness. They have cooperated with the government, not only in respect of the introduction of the levy but also in terms of the introduction of the Bolivar to Virginia pipeline system. That took a lot of effort on behalf of those local bodies. I also wish to put in a word for the catchment board that covers the Northern Adelaide Plains and the Barossa. A lot of on the ground work was done by all those people. But the gripe is that they have gone so far to aid the government in its endeavours, yet they are being treated poorly and in a very heavy-handed way.

I can point to reports in the media last year—headlines giving the impression that the minister was labelling everyone in the area as water cheats. The majority of people out there are doing the right thing, and the majority of people want those who are not doing the right thing to be penalised. They cooperated in changing all the meters over, and the like, but they feel that all they are getting is attack after attack from this minister.

On 16 May, just a couple of weeks ago, when the minister came into this House, all of a sudden, he took a swipe at me for my representing my constituents and my complaining about the heavy-handedness of his department in the collection of penalty rates. Let us be reasonable. I have talked about this issue in the House, so I will not repeat all those arguments. Basically, what happened was that I went to the minister on behalf of some constituents and said, 'You have sent out bills for water usage that occurred two years prior. You were late in sending them out. You did not tell growers that they were incurring these sorts of large bills.' We are talking several thousands of dollars for several growers. There are hundreds of growers out there. I am not sure how many have had excess bills, but they have certainly had large bills, and they have been given one month to pay. They are being sent very demanding, heavy-handed letters, accompanied by acknowledgment of debt forms that they must sign, otherwise they will incur additional interest charges. When I appealed to the minister that this was a very heavy-handed approach, after so much time has elapsed and involving such large sums of money, his response was to drag out the legislation and say, 'I can do this,' and basically to tell me where to go.

My response, on behalf of my constituents, was to take the matter to the Ombudsman, who had a very different view. The Ombudsman decided that there was a case to investigate. He launched a full investigation towards the end of last year, and that investigation is ongoing. However, I received notification from the Ombudsman yesterday, on behalf of one of the constituents (and I understand there is an indication that it might be on behalf of all the constituents whom I sent to the minister), that the Ombudsman would oversee a conciliation conference for settlement of this issue. These conferences will be held on a confidential basis. The letter that I have been supplied with states that the conference will be held on a confidential basis and that any agreement reached will be the subject of an agreement to be executed by the parties in the presence of the Ombudsman, and that it would remain confidential and should not be divulged to any third person. There is no argument with that. However, the point is that the department did have a case to answer, obviously, and the growers have been treated in a very heavy-handed manner.

In that regard, we have an amendment to this bill in the name of the minister—an amendment to his own act—to retrospectively fix up the problem because, when it reached the Ombudsman, it became apparent that there was a legal problem with what the minister was doing, basically, arising out of the fact that the government, for the 1997-98 financial year water collection, had gazetted notice of what the penalty rates were just a few days before the end of that financial year. Obviously, that is not a fair thing to do. Then the bills were sent out two years late (the bill for the next year was sent out at the same time, in June or July last year). Very large amounts of money were involved, and people were given one month to pay.

In addition, all this comes while people are in the 2000-01 water use financial year and, of course, having received no account for even the 1997-98 financial year, people are going along not realising that they are incurring debts of this size. The minister can say, 'They can always read their meters.' The department was reading their meters, but indications from the constituents who have come to me are that, even when they did ring the department and ask what was happening, they were told that they would receive a bill in a couple of weeks, but found that it was still a year before they received the bill. So, because they had been told that they would be receiving a bill, and there were debts, and they did not receive the bill, the assumption was that they were okay. It is not reasonable to be so heavy-handed, when the impression that has been left with those users is that there is no problem. One cannot, years later, after the activity, issue bills.

It does not give people the opportunity to adjust their water practices. If they are leasing land to others, it does not give them the opportunity to recoup these funds, particularly if there is some turnover in the tenants.

In addition, it is not acting in the best interests of the management of the resource. Water is scarce out in the Northern Adelaide Plains, the aquifer is depleted, and proper management of that would be to notify growers early, once the department finds out that they are using too much water, rather than letting years go by—because, in the meantime, those practices continue, for obvious reasons. So, the department has been acting extremely heavy-handedly.

I have a lot of questions about the amendment that the minister is moving because, basically, the amendment as it stands provides that the minister may publish the penalty rates for any financial year at any time before or during that accounting period. That means that the situation that occurred in 1997-98 when the minister gazetted just days before the end of the financial year can be repeated. That does not reassure me that the minister will get his bills out in time for people to have the opportunity to amend their practices or recoup moneys from tenants so that they can pay their liability. It is all about what is reasonable and just, and that is the problem here. According to the amendment that the minister wants to put forward, he can do this in future years. He can wait and see how much excess water is used, then decide what money he wants to raise from the growers and, just days before the end of the financial year, set the penalty. There is nothing in the minister's amendment to say that he must set the penalty before the end of the financial year, which is the law as it stands. The minister asks this House to support an amendment after his department has acted heavy-handedly and quite unreasonably in the case of the Northern Adelaide Plains growers. This amendment, of course, affects other regions, because the minister is seeking to apply the same sort of treatment, potentially, to other regions. It is all about what is fair and what is reasonable.

So, I would ask the minister some questions at this point (and I have given him some forward notice of them). As this amendment affects water penalties for the 1997-98, 1999-2000 and 2000-01 financial accounting years, what is the implication of the retrospective nature of this amendment? How many growers were charged penalty rates for the 1997-98 financial year? How many growers paid those penalty rates? How many are still outstanding? How many growers are on instalment plans? For the other two years, which the minister was also late in gazetting—that is, 1999-2000 and 2000-01—can the minister say when gazettal took place, if it has taken place? What penalty was retrospectively charged? Was it at the same rate, or have there been increases; and, if so, how much?

I also look to the minister for undertakings about how the department will operate in the future. The fact that there has been some settlement between the Ombudsman, the department and at least one of my constituents (and maybe more) is a clear indication that there is a problem and there has been an unfair situation. So, my question to the minister is: what does he undertake to do in the future? If people have suffered undue financial hardship by having to pay these debts within such short time frames and under such heavy-handed treatment by his department, what processes will the minister put in place for justice for these people? How many people asked for extensions and were not given them? If there were some who asked for extensions, how many people indicated that they were having trouble paying? Of course, we will never know how many went without to pay the bills.

It is not an argument about whether or not the water was used, but many of those meters—I do not know how many—if not all of those meters, have been replaced. Therefore, when a bill comes so late down the track, constituents do not have an opportunity, if they have a query about the amount, to have meters tested. That is the sort of curt response that comes from the department when bills are queried.

So, the heavy arm of government has been very unreasonable in its process and very unfair in its treatment of my constituents. My constituents, as a group, have gone out of their way to be accommodating to this government. I know that the minister rolls his eyes a bit and perhaps does not agree with that, but they are not a bunch of water cheats. If there is illegal activity I do not defend it, but you cannot cast aspersions on a group of people who care about the water resource, want it managed well for their future and are doing their best to aid government. They get very angry that they are treated in this way by the government when they are paying more per kilolitre for water than is being paid in any other area of the state. It is totally unfair.

The Hon. M.K. BRINDAL (Minister for Water Resources): I thank all honourable members for their contributions. I thank the shadow minister in particular for his cooperation on this matter and for some constructive suggestions as to how this bill may be improved. I will speak briefly in response to some of the points made by members and, of course, we will pursue this more vigorously in the committee stage.

I apologise to the member for Taylor if she thought I was rolling my eyes over water users in her constituency. I was rolling my eyes because to be the Minister for Water Resources in this place is sometimes not the most joyous of jobs. You need the wisdom of Solomon and the patience of Job, and even then you are guaranteed to be wrong in the opinion of about half of the House about half of the time.

Mr Hill interjecting:

The Hon. M.K. BRINDAL: And the hair of Samson, says the shadow minister. In response to the member for Taylor, I hope that when we continue this debate I will have the exact answers for her. I do not think that, as a group, the people in the Northern Adelaide Plains are abusers of water. After the dinner break we can look at this in empirical terms. I am told that the number of abusers—and I am talking about people who use more than their volumetric allocation—in the Northern Adelaide Plains in any year is a small percentage of irrigators. I will produce the figures after the dinner break—I do not have them in front of me but I know that I have them.

I accept and state publicly in this House that I am embarrassed that bills have been sent out as late as they have been with respect to penalties. It is not a penalty for using excess water: it is a penalty for using more than is on the licence. The member makes the point, and she is quite right, that people should have realistic expectations when they receive a penalty for anything. I would be very cross if somebody sent me a speeding fine three years after the event and told me to pay it. I accept that criticism.

However, the notion of penalties has been in place in the Northern Adelaide Plains since about the 1970s, so there was perhaps a realistic expectation that a penalty would be imposed and that that is a mitigating factor. I do not seek to justify all of the actions. We will seek a reporting of progress

and continuation after dinner because several members of this House have to attend the select committee, so after the break I will answer, quite fulsomely, some of the questions asked by the member for Taylor. If this matter has caused inconvenience and hardship to any of her electors, I apologise where the department has acted wrongly, heavy-handedly or in a manner that is not really conducive to better relations between the government and the people of this state. It is regrettable, but all we can do is acknowledge what we have done wrong and move forward.

The amendment seeks not to be retrospective but to clarify a position that was always the intent. In fact, the member for Taylor can take the credit, and we should call this the member for Taylor's amendment because, had not the honourable member explored this matter with the Ombudsman in a certain context, it probably would never have arisen. I believe it was the genuine belief of officers that they could set the penalties at any time in the year, and those penalties would apply retrospectively because they were penalties and that, if someone was aware that they had a penalty but was uncertain of the quantum, they would be even more cautionary.

However, in a realisation that the Ombudsman was looking at this matter, we checked it, and many of the points that the member for Taylor raised are valid. On the record, after the dinner break, I will give her some categorical assurances of what future practice will be as long as I am minister, because it embarrasses me to have to ask her and my other colleagues in this House to amend legislation which, while the intent was quite clear and while I therefore contend it is not retrospective, we should not need to amend in the first place.

The member for Gordon was less than kind to me in terms of what I have said in the past we need, and what I maintain we continue to need. While the honourable member is not satisfied with the speed and resolution of matters relating to land use change, the matter is in the hands of a select committee. I am minister in this House. I am responsible to this House and I am responsible within the executive government. I cannot determine the decisions of this House nor the numbers in it on any given occasion.

If this matter is proceeding somewhat more slowly than many of us would like, that is because we live in an institution called democracy, and I will not come in here and try to pass some measure that I know will not be acceptable to the House. The processes of the House include select committees. The matter is before a select committee, and the matter will be resolved by that committee.

The member for Gordon rightly criticises me because I have said, as have ministers before me, that I believe in principle in a pro rata levy, and that is true. However, despite what I think, the catchment management board told me that it was not its recommendation on behalf of the people that it represents to do what I have said I believe we should be doing. That catchment board said to me that we should not be doing it at this time. Either I take the advice of my locally appointed people, who are there to argue for the good of the resource, the good of the irrigators and the good of the area, or I do not take it. On this matter, as to whether my advice to the Economic and Finance Committee differs from what I have said, the answer is yes, but it differs because I was advised by my board that I should differ.

However, in essence, that strays from the purpose of this bill. One of the points that the member for Gordon made was that we need to create a water market. He said that by reserving some of the water we would not create a water market. My contention is backed up by the shadow minister, and he intends to move for a scheme that is much more generous than I was proposing, and we will see which way that is played out in debate in this chamber.

I think that the Labor Party and the government are in agreement that reserving water is a prudential move for the resource. It will assist us to work through some of the Gordian knots with which we are currently confronted and, because there is no more water therefore to go to the minister and simply ask for, used judiciously it will activate rather than inhibit the market. After the dinner break I will have a chance to get the *Hansard*, and I will answer specifically some of the shadow minister's questions to expedite this measure in the committee stages. I seek leave to continue my remarks later.

Leave granted; debate adjourned.

STATUTES AMENDMENT (TAXATION MEASURES) BILL

Adjourned debate on second reading.

(Continued from 31 May. Page 1742.)

Mr FOLEY (Hart): I am pleased to debate this piece of the government's budget legislation. One or two of my colleagues may wish to join me in making a few remarks. I know that the member for Ross Smith would like to make some comments. The opposition supports this legislation, and we do so for two reasons. First, it is a longstanding Labor Party tradition to support supply and the right of a government to pass a budget that may include taxation measures with which we sometimes agree or which we sometimes oppose. We believe that an elected government has the right to put in place its budget measures and that the legislation should be carried by both houses of parliament. As I have said before, that is not necessarily the view of the conservative side of politics in this country. The second reason is that we support the measures in themselves. So, if the measures were introduced apart from the budget, they would still receive our support.

The government has decided to reduce payroll tax. Payroll tax will be reduced from its current rate of 6 per cent down to 5.75 per cent, and there will then be a further drop to 5.67 per cent. It should be noted that the first drop is expected to involve some $24 million to $25 million, and the second element, the further drop, will be paid for by a broadening of the payroll tax net to include fringe benefits taxes, and that is a measure that we also support. As the Leader of the Opposition and I both said late yesterday, we will be supporting those measures should we be elected at the next election, so the business community can be assured of certainty following this measure.

The threshold has also been raised. It is important to note that, in my recollection, this is the first lifting of the threshold since the Liberal government was elected in 1993.

The Hon. M.K. Brindal: What threshold are you talking about?

Mr FOLEY: The payroll tax threshold. I might be wrong, but it is my recollection that this is the first time that it has been lifted. That is disappointing for small business and medium-sized enterprises, not to mention large businesses, and, because the payroll tax threshold has not been lifted in the past seven or eight years, more firms have been caught in

the net. At some point a government was going to have to lift that threshold.

It should also be noted that there is a lot of pressure on payroll tax. We saw John Brumby and Steve Bracks reduce payroll tax significantly in Victoria, and similar action is occurring in New South Wales. Of course, the Queensland Premier, Peter Beattie, who is always keen to strike before the rest of the nation on certain issues, is agitating to see further reductions in payroll tax in Queensland. Given Queensland's budget strength, that is good for business in Queensland but should cause concern for all of us in other states.

The Hon. M.K. Brindal interjecting:

Mr FOLEY: The member for Unley makes a fair point. Queensland prides itself on having no debt, but any observer would see the infrastructure of that state and compare it to infrastructure—

Ms Hurley: They are catching up.

Mr FOLEY: They are catching up, but for many years during the Bjelke-Petersen government they simply did not reinvest in capital infrastructure and social infrastructure. Of course, the other element about Queensland that is little known in this state is that some of the major businesses of government that incur debt are not held by the state government. I think members will find that the Brisbane Water Authority is a council authority and many of the bus systems are council owned and operated; and I assume that in the big regional cities in the north of Queensland the water and transport authorities are owned and operated by local government. The state does not have the same business enterprises incurring debt.

Anyway, that is an historical fact. However, what it means—and particularly with a more robust economy—is that they are able to flag that, at some point, it is their intention to make a significant strike on payroll tax. For states such as South Australia, whilst we have to remain competitive with all states of Australia, clearly the most important state for us to be competitive with is Victoria because of the similarities between our manufacturing base. We have to keep as competitive as possible with Victoria. Whilst I do not want to go on too much about it—we have had a fair bit of discussion in other debates—this is where the electricity price increase is such a worry, in that the massive cost impost of electricity more than wipes out any advantage business may be getting from the payroll tax rebate.

It was with some disappointment that I heard the Treasurer on the weekend trying to say, 'I am giving $24 million away in tax rebates with payroll tax. There is about a $25 million increase in the price of electricity. Therefore, one sorts out the other and really business does not have a problem.' That was the implication of what he was saying. I do not know how the Treasurer can estimate that the cost to business is $25 million, because, at this point, I would have thought that that is a statistic too difficult to calculate. Although Business SA has put out a notional figure of $25 million, that has not been tested under any rigorous analysis.

The other point is that many users of electricity do not pay payroll tax. You can be a relatively high user of electricity relative to your business, or a high user of electricity relative to all businesses, but not employ a lot of people. It may be that you are a business under the threshold, or just above the threshold, and your payroll tax bill has no relativity to your electricity bill. Whilst any move to reduce the cost of doing business is welcomed by many in the community, particularly the business community, we should not for one moment—and I am sure the business community does not—think that this somehow offsets electricity cost increases, because it does not.

Other aspects of the bill are the removal of stamp duties as they relate to leases under a value of $50 000, together with some amendments to the application of land tax, which is a point on which I know my colleague the member for Ross Smith will be wanting to make some comment. It was an opportune time for the government to correct an anomaly that has annoyed many a person, including me; that is, that when you own a home and you are building another home, through that transition period you are facing a land tax bill. Even though you are going from one principal place of residence to another, the value of the land component is calculated during the period that it is not your principal place of residence and you have to pay the pro rata value, which would not represent a significant financial windfall to government, but is an annoying addition to the bottom line for people wanting to build homes, buy new homes or simply shift home.

I think that is a welcome initiative and again it will be supported by the opposition. All in all, these initiatives are outlined in the government's budget. We support them; we think that they are good measures; and we are happy to see this bill pass this House tonight.

Mr CLARKE (Ross Smith): I hesitate to say the words, 'I will try to be brief,' because of the laughter that seems to come from other members in the chamber, but I will be brief because the shadow Treasurer, the member for Hart, has covered all the points I would like to have done. One of the two points I really want to touch on relates to the payroll tax deductions. Australians—and South Australians as well—have a unique opportunity in the next six months by electing Labor governments both at a federal and South Australian level to bring into play what I would hope to be historic agreements between state Labor governments in all six states, plus the federal government, to try to put some rationality into things such as payroll tax and various other incentives that the states use to compete amongst one another for industries.

That will be to the benefit of South Australians, because, at the end of the day, as an official from Premier Bracks office told me only a few weeks ago, 'Look, if there is an industry we are really after and we are competing against South Australia, we have the money to put on the table and we can beat you every time, if we need to and if we want to.' Of course, that is just a simple fact of financial life, given the strength of its economy and the size of its economy compared to ours. I would hope that, with the election of six state Labor governments and a federal Labor government, agreements can be worked out so that we do not have the states competing against one another, offering various concessions—whether it be by way of payroll tax concessions or whatever—to try to attract industry to one state versus another, which leads to an overall deterioration in services that are offered to people in that state, because other industries can quite rightly say, 'Hang on, we have been resident in your state for many years and we have received no concessions of any sort. Some outsider, some multinational, or Australian multinational, decides to move into your state and you fall over yourself by offering all these various concessions which we have never enjoyed.'

Likewise, you have had states such as Queensland (under successive state Labor and National Party governments) that

have undertaxed compared with other states in terms of state petrol taxes. Likewise, with trying to get in first with the abolition of the FID on transactions in the share market a few years ago, which forced all states to follow suit at some significant cost to the revenue of those states and services to their people; and likewise the actions by the Queensland government in trying to manipulate the payroll tax percentage to disadvantage other states such as South Australia and our revenue base. I hope for the election of governments on a national basis and at a state level of the same political persuasion with a view to improving services to people who most need them in the community, and that some form of agreement to stop this waste of taxpayers' resources in competition between states comes about.

The last point I want to raise is in respect of the amendment to the Land Tax Act, which has been explained by the member for Hart. I welcome that, and I would like to think that I played a small part in convincing the Treasurer in coming to a very sound decision. A handful of constituents who have approached me over the last couple of years have found themselves in a similar position to the member for Hart; that is, in the process of building one house they were still living in their principal place of residence. Simply because of the date in the Land Tax Act at which land tax is applied—and there is a particular date, but it escapes me at the moment—if you had not actually completed the transition from one house (that is the house that you are selling) to move into your new principal place of residence, you attracted land tax, because, for a short period, you were caught within the time frame set by the Land Tax Act.

I was fortunate in being able to convince the commissioner to exercise his discretion and waive the payment of land tax for those two constituents who approached me, because we were able to clearly establish that the second house being built would not be used for commercial purposes, as a holiday home or anything of that nature: it was to be their principal place of residence. I might say that it was a somewhat arduous task to persuade the commissioner to exercise that discretion; it was by no means assured. The fact that the Treasurer has now corrected that anomaly in this legislation is to be welcomed. It is fair and it is one of the few fair measures that I can say this Treasurer has implemented in his term as Treasurer of the state.

The Hon. M.R. BUCKBY (Minister for Education and Children's Services): I thank members for their contributions. This is an important bill, particularly for businesses in South Australia, with the reduction in payroll tax. As we know, payroll tax is a disincentive to employers in terms of taking on additional employees. One of the positive things in this budget is the reduction in payroll tax to 5.75 per cent and the foreshadowing of a further reduction to 5.67 per cent as from 1 July 2002. Business will certainly welcome this.

As other members have pointed out, there was an anomaly regarding the ownership of a home: if a person owned land where a home was about to be built or where a purchaser owned one home and then purchased another for their principal place of residence and was in the process of selling their original home, land tax as at 30 June became applicable. This removes that anomaly and makes the process much simpler and much fairer for people who happen to be caught up in transactions moving between homes at the end of the financial year. I thank members for their contributions and look forward to the speedy passage of this bill.

Bill read a second time and taken through its remaining stages.

FIRST HOME OWNER GRANT (NEW HOMES) AMENDMENT BILL

Adjourned debate on second reading.

(Continued from 30 May. Page 1698.)

Mr FOLEY (Hart): Again, the opposition will support this bill, which has been a little long in coming. It followed the announcement of the Prime Minister, John Howard—

An honourable member interjecting:

Mr FOLEY: The member for Ross Smith lives. There are things I could say, but I will not. The opposition supports this bill. We have no argument against government assisting the housing industry, and this is an initiative chosen by the federal government. We are simply enabling that to have a legal framework, because the State Revenue Office is the office passing out the $7 000 and $14 000 grants. The grant comes from the commonwealth and we are administering that grant. The bill has been some time in coming, and there was concern for a while that the grants were not being paid because legislation had not passed the parliament.

I want to make a couple of comments about what happens in my view when you play with the housing market. In the lead-up to the GST we saw the frenzied activity amongst home builders and potential home owners wanting to get homes built prior to the introduction of the GST. We saw a classic case of the pull forward effect, with a massive pulling forward of demand.

I think it was one of the most significant reductions in housing construction activity, if not in Australia's history, then very close to it. I saw some statistics recently which showed that, in the aftermath of July 2000, the drop-off in building activity was so great that it was greater than the 1991-92 recession and indeed the 1983 recession. It was a very sharp dive as building simply did not happen after the GST. So, I can understand why, after the blundering of the GST in terms of the disastrous effect on housing, a government would want to put some shock measure into the market to try to retrieve that rapid decline.

But, of course, the risk you run in implementing this measure is that yet again you are pulling forward demand to fix the rapid decline at present, only to see the problem exacerbated yet again in 12 or 18 months time. I can understand why a commonwealth government would want to put in place a reactive policy like this, but I do not think it comes without a cost in terms of the future viability and health of the housing industry.

I say that, as it is particularly of concern in South Australia, because the housing market in our state is one of the stabilisers. It is one of the economic activities that stabilises the strength of our economy. We do not have the peaks and troughs that we find in Victoria, Queensland and particularly New South Wales: we have a relatively steady housing industry that has more of a wave effect than a sharp rise with a rapid decline. So, any external factor that plays around with the natural housing growth in this state has significant consequences for our economy.

I think it would be fair to say that, even though the economy is running better at present than it has for some time, we are yet to feel the lag effects of the economic slowdown in the eastern states that was caused in part by the housing slump, which in turn was caused by the GST.

This lag effect will occur. The Treasurer alluded to it in his budget papers so, whilst this scheme runs through to the end of the year, I think we will see some distortions in the housing market over the next 12 months to two years that I think will be difficult for our people to manage. Notwithstanding that, I can understand the need to put in place a measure, particularly in South Australia.

This is not for us to be concerned about, but it is not a particularly progressive taxation grant. It is good news for a home buyer in South Australia and Western Australia and very good news for a home buyer in Tasmania, but I am not sure that the value of $7 000 or $14 000 is as generous in the New South Wales market, where the median price for housing is double that of our state. So, the relative value of that grant is halved. I am not sure how that is being debated out in New South Wales and Victoria, but there is no doubt that a South Australian home owner gets a more significant bonus and contribution from taxpayers to their first home than does anyone in any part of Australia, barring perhaps Tasmania and the Northern Territory.

That, added—and I will give the government credit, which it has had for some time—to other state government initiatives, makes it a very opportune time for a young person or young couple to buy a house. Any South Australian contemplating building a house is running out of time, but they would want to take advantage of this scheme. It is a very generous scheme, and some banks are lending totally on a $15 000 deposit, so it is clearly a good time. Having said that, what effect and distortions that has on the market remain to be seen. With those few words, I indicate that the opposition will support this bill.

Mr CLARKE (Ross Smith): If it is the wish of the House to go straight to the third reading, I do not want to take up time by going into committee. However, I have a question of the minister. This matter was put to me by a developer today. I endorse the comments of the member for Hart. This developer pointed out to me, along the lines of the member for Hart's argument, that, since the $14 000 came into play, the price of builders has not dropped particularly remarkably and that, in essence, when the GST was introduced, the building industry slumped because a lot of work had been brought forward. They are experiencing a similar situation now with this $14 000 first home owners scheme, which finishes at the end of this year, as far as the $14 000 is concerned. That has brought work forward and, as they are getting more work, and it is busier, builders have not kept the lower prices that we experienced in the last half of last year. So, the real value of the $14 000 first home owners scheme has been reduced quite significantly by the fact that building costs have increased or at least remained where they were in many respects before the introduction of the GST, and this has dampened the value of that $14 000.

My question concerns a first home owner who purchases a property, and I will give the exact example. A property in Second Avenue, Sefton Park, has been left vacant for 20 years by the owner. I think the owner was a brick short of a full load and never tenanted the place. It was left totally vacant for 20 years and caused all sorts of problems with vandalism, squatters and the like. In any event, the developer has now bought this property and is totally renovating and strata titling it, and some titles have already been sold. One of the new owners is a woman for whom the sale is subject to her $14 000 first home owners scheme grant being approved. Will she qualify for that $14 000 where it is not a completely new home built from the ground up, but, in a sense, it is an old stone building that has been vacant for 20 years and is now undergoing major remodelling to enable it to be sold off on strata title? Will such a person be entitled to collect the $14 000 under the existing rules?

Ms THOMPSON (Reynell): I rise to speak in support of this bill but, at the same time, I express my disappointment that when the Howard government saw the need to take action in the building industry, this is the action it took. This first home owners grant scheme smacks of policy on the run. While some people will benefit very much, others will miss out because it has not been clearly thought through. I have been very happy to witness as a JP the applications of a number of people in my electorate who have brought their housing plans forward. I have also had others visiting me who say how unfair they think this scheme is.

I will give two examples of the type of situation where people who need housing are excluded because of this scheme. The first relates to people forming a second partnership or, indeed, who may be separated or divorced and have decided to go it alone at the moment. It has been put to me by women that women usually come off worse with regard to property after a settlement when the marriage or partnership breaks up. Certainly, their claims are substantiated by every academic survey or study that I have ever seen. It is usually women who end up with less money after a partnership breaks up. Some of these women form new partnerships and that partnership is ineligible to apply for the first home owner scheme. Even if the partner (whether it be male or female) has come out of the first relationship with virtually nothing, and perhaps even debts, they are still ineligible. In the case of someone who is divorced and wants to secure her future and that of her children, she is also ineligible for this scheme and is very worried that the impact of the scheme is pushing up the price of housing. People in those categories see their dream home getting further and further away because of this poorly thought through scheme introduced by the Howard government.

Another group of people missing out on this scheme have owned a home at some time but through illness, loss of a job or maybe because an extra child has been born and the family has reduced the number of hours in the work force, they have been unable to keep up the mortgage payments and have sold their first home. In one case that came to my attention, the people took this action 15 years ago when they could not continue with the mortgage payments after the unplanned arrival of a child. They happily rented for some time, but over the last five years have decided that they really want to buy their own home and have been budgeting very carefully indeed to get a deposit together. Because this family has owned a home in the past, they too are excluded. One would think that they are exactly the sort of people who should be helped by any scheme introduced to even out the impact of the GST on the building industry.

So, they are two groups who are really missing out on the opportunity to own their dream home; at the same time loopholes in the scheme are being plugged to prevent others from exploiting it by effectively putting homes in the names of their children. It is another Howard scheme that makes it easier for those who have to have more and those who do not to ever get to first base.

Of course, there was a completely different option for the government to take when it decided that it was necessary to intervene to support the building industry during the very

unfortunate down time, which was the result of a couple of things—the GST and, to some extent, the end of the Olympic Games. That option would have been to focus on building public housing. We all know about the long waiting lists for public housing. This year's budget papers indicate that there will be a net decrease in public housing again with a decrease of 1 560 Housing Trust dwellings, which is in no way matched by an increase of 383 dwellings in the SATCHA stock, which shows a net decrease of 1 177 dwellings. We already know that this brings us to a net decrease of approximately 9 000 houses available through either the Housing Trust or SATCHA since Liberal governments have been in power in South Australia. I am confident that the same problem with public housing exists in other states.

When there are so many homeless people and people are desperate to get onto a priority housing system—where they usually have to wait for at least six months—why not build more public housing. Why are we manipulating the market artificially again with a scheme that is not fair? As I have said, I acknowledge that it does have some benefits for some people, but it is not the best scheme that could have been introduced to meet the problems in the building industry and the housing needs in our community. We know that there is likely to be a problem when this scheme expires shortly after the federal election—and maybe after the South Australian election—when there will again be a downturn in the building industry once those houses are completed. We already know that, because many people have brought forward their housing plans, there is a strain on development. Developments are having to be rushed through and rushing through developments is never a good idea. We are inclined to make rather awful mistakes when developments are not properly planned. Advancing development in the public sector would not have had the same number of risks.

While I support this bill and acknowledge that it is helpful for some people, I am extremely disappointed that it is yet another example of the Howard government's poor ability to manage our community and not getting its priorities right in terms of helping those most in need. It has not recognised the extreme difficulty suffered by people on public housing waiting lists and has not thought about the long-term impact of its policy actions.

Those people who have seen me, disappointed that they are not included for support, are not on the public housing lists. None of those people who have spoken to me see public housing as an option; they want their own homes in the private sector, but they are excluded from this scheme. They see it as unfair that those who have are getting more. They would be happier to see those in desperate need getting help through the public sector. In my view, that would have been a much wiser course of action for the government to take where it could have acknowledged that it does have priorities that put people first.

The Hon. M.R. BUCKBY (Minister for Education and Children's Services): I thank members for their contributions. As the member for Hart correctly identified, following the introduction of the GST, and the amount of the market that was pulled forward prior to its introduction, it did pull forward quite a large number of homes that would not have been built prior to the GST but at a later date. As a result of that, of course, there is then a dip, or a lag, in the home building market. This federal government scheme is extremely generous, in that it doubles the amount of the first home owner's grant for home owners who apply prior to December this year. As the member for Hart has indicated this, again, is pulling forward some demand in the marketplace. It is interesting that builders to whom I have spoken about this matter have indicated that they currently have about 12 months' work in front of them. It will be interesting to see whether there is again a dip in June to August next year, or whether this scheme has managed to pull forward enough to avoid another dip in the home building market. We will not know this until that time arrives.

If I were in the market, I would certainly be taking advantage of this scheme, because it certainly gives people a leg-up in terms of paying off their first home and having $14 000 there to do so. So, it is a good scheme in that respect. In terms of the market, we will wait and see what happens in probably 12 or 18 months' time, because of the demand that has been brought forward. I do not think anyone knows what the answer is, so we will wait until that time and see what happens.

I thank all members for their contribution. In relation to the member for Ross Smith, after looking through the bill, the person to whom he is referring is the end purchaser. The developer has purchased an old home and is subdividing that into strata units and, as the purchaser, I would imagine that that person is not the developer and, therefore, would be—

Mr Foley interjecting:

The Hon. M.R. BUCKBY: It is a little uncertain as to whether or not that person would be eligible for the grant. The member for Ross Smith would be well advised, on behalf of his constituent, to talk to the Revenue SA people who are dealing with this. I am sure that they would be able to give him a clear answer about the eligibility of his constituent.

Bill read a second time and taken through its remaining stages.

APPROPRIATION BILL

Adjourned debate on the motion:

That the House note grievances.

(Continued from 5 June. Page 1820.)

Mr CLARKE (Ross Smith): The issue that I wish to raise tonight is something that I raised this time last year, and nothing much else has happened, if anything. Whilst at the end of this debate on the Appropriation Bill we will go into the estimates committees, and the House of Assembly members will be working diligently on scrutinising the budget and questioning ministers and the like, our colleagues up the corridor in another place will, as usual, have very little, if anything, to do. They will not be sitting for the next three weeks. Of course, ministers in the other place and shadow ministers will be involved, obviously, in the estimates committees but other members of the Legislative Council will not be involved. Of course, in theory, they are no doubt seeing streams of constituents on a daily basis—but, of course, we know that that is not true. That does not happen, except in rare instances—mainly when one of the members of the Legislative Council trips on the footpath outside Parliament House and accidentally bumps into someone running to catch the train. That is about as close as they come to confronting a real life constituent.

Of course, they could all be busily working away on policies and a variety of other things for the good of the state but, equally, it would be stretching the imagination too far to believe that that is occurring—except, perhaps, in rare circumstances, and only on the odd day because they are tired

of playing golf, visiting, going bush walking or doing something of that order. I raised this matter in the parliament last year. Why can the Legislative Council not sit while we are in the estimates committees? We do not want to end up in July with a huge backlog of legislation. That is partly the fault of this government, because it cannot manage its business correctly. But the Legislative Council does have work that it can do—whether it be private members' business or other bills that are currently before it—notwithstanding that the estimates committees are meeting.

The estimates committees do not have to meet in the Legislative Council chamber: Estimates Committee B can meet in the old House of Assembly chamber. There will be some times when government ministers are missing from the other place because they will be before Estimates Committee A or B, but I am sure that that can be accommodated with respect to the proceedings of the Legislative Council and how it prioritises its order of business. As happens now on a normal sitting day, not every minister sits in the chamber for the whole time that the chamber is sitting: they are away doing other things in relation to their portfolio. The same arrangements could be made with respect to the Legislative Council. It just seems a tiresome waste of time that, when it has work to do, it does not sit. I do not blame the Legislative Council, per se. The government could order it; it could organise it, if it had the will and the wit to do so.

If the Legislative Council is not sitting for those three weeks, let us give the members something useful to do—such as volunteering to clean graffiti off public buildings or private houses, helping out at Meals On Wheels, or doing something equally socially constructive. Otherwise, they are being let loose on the public at large, as members of parliament—as Legislative Councillors—and, with idle time, they can only achieve mischief. It would be far better to have them removing graffiti from public buildings or from senior citizens' homes—something socially productive for them to do.

The next point I want to raise relates to standing orders—and question time, in particular—in this chamber. Of course, all rulings of the current Speaker, and past Speakers who are still in this chamber, are absolutely infallible and cannot be criticised. I understand (not that I am a Catholic) that, whilst the Pope is infallible, one is allowed to criticise his rulings and still not be excommunicated. But, in this chamber, rulings of past and present Speakers are not only infallible but you cannot even criticise them if you wish to remain in this chamber. The whole purpose behind question time is for the opposition to be able to put the government of the day under pressure. I am not talking about party politics now: it occurs whichever party happens to be in government. We have the absurd situation of ministers being asked specific questions by the opposition, the ministers totally ignoring the question and it simply being turned into a rabble-rousing, point-scoring exercise, where little or no light at all is shed on the subject matter that is being questioned.

The other point, of course, is that the dorothy dix questions from government backbenchers are usually questions as incisive as something along the lines of, 'Why are you the greatest Minister for Education that this state has ever had?', and the minister will simply stand and say, 'Thank you for acknowledging that fact, and I will now tell you why.' That does not shed any light on matters and simply brings the parliamentary process into disrepute. Standing order 98 is quite specific and says that ministers are to answer the substance of the question and not engage in debate. I submit that that standing order is breached every day—on every question and by every minister, present and past—and, unless something dramatic happens in terms of enforcement of that standing order, that situation will continue into the future, no matter which party is in government.

I think all Speakers and potential Speakers need to give this very careful consideration because it is up to them to enforce those standing orders. Cognisance should be had of Erskine May in terms of the stupidity of government members in particular asking questions, the answers to which are already known not only to themselves but also to the public. Such information is contained in public documents through the media and through ministerial releases, with ministers announcing something on the radio or on television on the morning or evening before the question is asked in the parliament. Such questions ought to be ruled out of order in accordance with Erskine May. I know that some would argue that if you do that you will gum up the works: you will upset the way things happen. Governments come and go and different political parties take over the Treasury benches. Why, then, would you want to interfere with the way in which parliament has been conducted by literally enforcing the standing orders, because it cuts both ways?

I think we ought to do it. It does not matter which political party happens to be in government: if ministers are good enough, they ought to be able to answer the substance of a question that is directed to them. If they are not up to the job of a minister, I have no doubt that there are plenty of volunteers who would readily apply to take their spot. If they cannot handle the pressure and think that they will fail as a minister if they have to answer a question directly, they should stand aside; there is no shortage of volunteers for the job. It actually leads to better government: the purpose of question time is greater scrutiny and public accountability of ministers.

Presiding officers can play a very important role, notwithstanding their party political allegiance, by ensuring that the standing orders are interpreted literally. It will be inconvenient for some ministers and, no doubt, some members of the opposition from time to time, particularly with role reversals, but, at the end of the day, the public and parliament will be more informed about the workings of ministers. As I said earlier, and I conclude on this note, if a minister is up to the job, he or she will not fear answering the question in a straightforward manner.

Time expired.

Mr De LAINE (Price): I want to touch on several issues in the time that I have each side of the dinner break. I was interested in the Treasurer's budget speech, and one item that caught my eye was that he mentioned that, as part of Partnerships SA, consideration is being given to building five new police stations at Mount Barker, Gawler, Victor Harbor, Port Adelaide and Port Lincoln. I understand the dire need for a new police station in Mount Barker—I am familiar with those facilities and there is certainly a need for a new police station. However, I am not familiar with the facilities at Gawler, Victor Harbor or Port Lincoln, but I am familiar with the facilities at Port Adelaide, and I cannot understand why consideration should be given to building a new police station there, because a major and modern police station and court complex was built only about seven or eight years ago. However, that was mentioned by the Treasurer.

While I am talking about police stations, it was reported to me only this week that the Parks Police Station in my

electorate is only a 9 to 5 police station and the area badly needs a 24 hour station. I do not know why a new police station is being considered for Port Adelaide, when we need a major police station in the Parks area—and a 24 hour police station at that. Admittedly, the police in Port Adelaide have been very good and, as much as they possibly can with the resources they have available, they have increased patrols in the Parks area. South Australia is regarded as the cannabis state of Australia, and the police tell me that the Parks area is regarded as the heroin capital of Australia. So, with all the crime and the drug problems experienced in that area, at the moment we are stuck with a 9 to 5 police station, which is totally inadequate: we need a 24 hour station.

The Parks urban renewal project—which is, I think, a five stage project that was announced by the government in 1994—finally got off the ground about 2½ years ago. It is progressing nicely. A lot of homes have been demolished and the area has been laid out in a different manner. Urban Pacific is involved in the joint venture with the government and is generally doing a magnificent job. Local residents initially feared that they would lose their identity and be shifted out of homes in which they had lived for 30 or 40 years but, with the exception of a few complaints, it has been going very smoothly.

Some beautiful homes are being built. There does not seem to be a problem with Housing Trust homes, but there seem to be a few problems because of the mix of private homes and Housing Trust homes which has been generated by the new development. As I say, the Housing Trust homes seem to be well planned and are quite functional, as far as I know, but there have been complaints about private homes being built too close to one another, obviously through the usual greed of developers who want to cram in as many homes as possible. I will speak to the minister about this. I do not know whether the state government has jurisdiction, whether it is left to the private developer or whether it is a local government matter. I have been told, and have seen for myself, that some homes are built far too close to each other. Some have overlapping eaves so that the roof lines have had to be reworked to lift the eaves and the gutters above the house next door. This is crazy in a place such as Australia where we have so much land.

I have been told of another problem, where a person can reverse their car out of their garage and back straight into the garage of another house. This is ridiculous. Also, driveways have to go around houses to reach garages. These are all planning issues which apparently apply to only the private sector, so this needs to be addressed.

Also, a complaint has been made that there is not enough open space in the development area. Some quite large parks are planned for the development, but people tell me that these are fairly dangerous places, that children need constant supervision and that it would be preferable to have smaller parks close to homes which would prevent children from playing on the roads. At the moment, children will not go longer distances to the big parks, so they want to play on the roads, which is fraught with danger, as we all know.

Another problem that has been raised is the mix of tenants. I think it is an ideal opportunity for the Housing Trust, in particular, to pay more attention to the mix of tenants instead of placing young people who use drugs, alcohol and so on among older people. This causes a lot of heartache not only for the tenants, both young and old, but also for the Housing Trust. I think it is something that should be paid more attention. I know that the Housing Trust is unwilling to attempt to influence the social behaviour of people, but I think it has a responsibility to try to safeguard tenants—especially if they are elderly people who want peace and quiet—and perhaps to pay a bit more attention to screening potential tenants to ensure a more even mix and therefore to avoid a lot of problems.

[Sitting suspended from 6.01 to 7.30 p.m.]

Mr De LAINE: One other matter that I will touch on concerns the Housing Trust in my electorate, especially the safety and security of people, particularly elderly people, in Housing Trust units and homes. There are a lot of security problems in the Woodville Gardens area and many elderly people, particularly women, in their 70s, 80s and 90s feel very unsafe. The Housing Trust's policy, supported no doubt by the government, is not to provide locks on windows and security screens for doors. It is time that the government and the Housing Trust changed its policy. I understand that there are budgetary implications, but in this day and age there is a need for more security.

Not too many years ago, Housing Trust places were built without carports, showers and exhaust fans, and without a lot of the power points that are needed for appliances in use today. Over the years the Housing Trust has altered its policy and has provided the items that I have just mentioned, and it is time that it changed its policy to reflect the problems of today by providing security screens on doors and locks on windows.

Only this week I have been informed that some of the new houses in the Parks redevelopment area have sliding windows and doors that can be lifted out of the tracks, so thieves can gain access when the doors and windows are shut. There is a need for the government and the Housing Trust to review the policy and at least provide security measures for elderly people, especially elderly women and other people who are at risk.

Bearing in mind that the Parks area is a hot spot for drugs and drug dealing, there are a lot of break-ins associated with the drug scene, and some blocks of units have been targeted by thieves recently. One elderly lady who had her handbag snatched at Westfield Arndale 12 months ago, has since suffered a stroke and she is petrified because she lives on her own. Recently her home was broken into and the trust said that it was not its policy to put locks on windows and doors, so her son bought locks and put them on himself. Thieves recently broke the glass and gained access again and, in the last week, she was invaded twice. The Housing Trust eventually put deadlocks on her front and back doors but there is a need for more security generally in the area.

Ms THOMPSON (Reynell): I rise to speak about the two major disappointments I have with this budget, and they are the two areas with large need that have suffered large cuts. The first area of cutback is in outpatient appointments where we will see 111 000 fewer outpatient appointments this year compared with last year. Last year people were already suffering because of long waiting lists. This year we can expect it to be worse.

I was speaking to a constituent the other day who needs to see an orthopaedic surgeon. She cannot get an appointment until 3 March next year. Then she will be assessed as to whether surgery is required. If surgery is required, she will go on the waiting list. She will have been waiting for about 10 months to get an appointment, and the current indications

are about 18 months before any procedure that might be necessary can be carried out.

The other area of major disappointment is the cut in public housing. We often hear from the minister how we on this side exaggerate the housing problem and the cuts in housing, but the figures are very clear in the Portfolio Statements. They show that cuts to the South Australian Housing Trust housing stock in the next 12 months will be 1 560 dwellings, reducing the total stock to about 49 000, as I recall, from 63 000 at the time this government took office.

The minister frequently mentions that we fail to talk about the increase in community housing, but that just does not make up the difference. There will be an increase of 383 community housing dwellings in the next 12 months so that means that the housing stock available to people in desperate need will be reduced by 1 177 houses in the next 12 months. Depending on which figures we use, that brings the total decrease in community and public housing over the period of the two Liberal governments to about 8 500 homes. That is 8 500 families or individuals who are desperately in need of housing and cannot get it. They move from house to house and they sleep on each other's floors.

At the moment I am trying to assist a 73 year old woman who is effectively bed hopping in order to have a roof above her head. For two years she has been effectively homeless, but now it has got desperate. She was living with her son for some time until the constraints on her son's family were such that he served her with a formal eviction notice in February this year. They both hoped that this might mean that the Housing Trust would take her situation seriously and realise that her family could not keep giving her a home when what she needs is a home of her own, a place where she can have her own things about her, where she can form stable friendships in the local community and participate in the community, and so she can get a doctor whom she can consult on a regular basis.

Since February she has been moving around between the homes of her two daughters and the boyfriend of one of her daughters. At the moment, she is house and elder sitting for a woman down at Seaton, and she wants to live at Morphett Vale. That came about through an acquaintance. A woman needed to go away and wanted someone to care for her 83 year old mother. So, in order for this woman to get a roof over her head, we have her, a 73 year old constituent, caring for an 83 year old woman who does not speak English and who has dementia.

When I hear stories like this every week I find the cut of 1 177 homes to be totally immoral. When I see people who are in pain and who are not able to work or not able to participate in their normal lives because of the need for health care, and yet we see that there will be 111 000 fewer outpatient appointments in the next 12 months, that also seems cruel and immoral.

I am also disturbed by the lack of vision that this budget shows. There is no commitment to allowing ordinary people to get on with their lives with peace of mind. What ordinary people tell me they want is to feel secure that there is health care when it is needed, to know that their children and their grandchildren will get a good education, and to know that schools will be able to meet any special needs that the child might have, whether that be a learning disability, a physical disability, an emotional difficulty or whatever. Each child needs special attention.

To get that special attention they need reasonable class sizes and they need SSO support. There simply is not enough money in the Education Department to provide that. The supposed increase in funding in the Education Department merely keeps up with CPI increases. Effectively, education funding will be exactly the same: there will be no opportunity to meet the needs that so many people who work in our schools and who have children and grandchildren in our schools know exist.

People want to know that their children will have jobs when they get older, but there is no vision for jobs. There is no emphasis on training to meet the new needs of the economy. There is no commitment to looking at what education and training in different areas need. We have plenty of data showing us what sorts of skills and training people who happen to live in different areas have. They have been drawn there by local manufacturing industry, cheap houses or whatever. We know what sort of skills they have, we know whether or not those skills meet the needs of the new economy, but we see no action being taken to meet any gaps there might be to allow all communities to fairly participate in the opportunities that are available.

People want to know that they can be safe in their homes, schools, and as they walk along the streets or go anywhere: they just want to feel safe and secure. Yet the crime prevention line shows a decrease of $15 million in the budget—from $36 million to $21 million. I really cannot understand how that can happen. Perhaps during estimates committee we will find that the transfer of funds has been poorly named, but I am very fearful that we will just find that it is a cut to the important crime prevention programs. I also see no vision of eliminating inter-generational poverty. We all know that there are pockets of inter-generational poverty in the north and in the south in particular. While many citizens in both those areas are ordinary people doing their ordinary jobs, others are really deeply in need.

To move out of the inter-generational poverty cycle, we need direct support for young parents, youth and the mature age unemployed. We need to see education being used as a tool for the elimination of disadvantage, and we need targeted health programs to meet particular problems that manifest themselves in different areas. For instance, the other day I attended a Noarlunga healthy cities program at which there was a presentation from the local hospital indicating what sorts of people from which areas were presenting with which sorts of problems at the emergency services department. It was quite clear that the presentations were not even across the area. It was quite clear that some areas just called out for targeted health programs to assist people to deal better with the management of their own health.

We have seen a budget leaflet talking about a stronger economy, stronger community, but I see nothing in the budget which will support the economy of the south. There is nothing for wine roads and IT infrastructure. There is nothing to support our export extension program, which is so vital to support our small businesses. We understand that there is some support for Mitsubishi, but we do not see it detailed in the budget. We do not see anything detailed in the budget to support the problem with Mobil, its rates and the impact that any change in rates for Mobil will have on the rates of ordinary citizens in our community. This budget lacks vision; it has the wrong priorities; and it demonstrates a government out of touch with what the community needs.

Ms STEVENS (Elizabeth): When the Minister for Disability Services was putting his press release together in response to this year's budget, he must have got it muddled

up with last year's, because he started his release by announcing that services for people with disabilities will receive an additional $6.1 million in state funds in 2001-02. The fact is that this year there is no additional $6.1 million of funds. In fact what the government did—and good on it—was increase funding for disability services last year to around $6 million, and it has simply maintained that $6 million this year. It is a very dishonest way to portray the true situation, and it is a sad reflection on this government's penchant for trying to deceive the community into thinking that it is doing more than it is.

The minister also makes the point that total funding for disability services in this state is now at a record cost of $180 million a year. I must say that the reason why the total amount for disability services has increased from about $174 million, $175 million to this record amount of $180 million is extra commonwealth funding as a result of the agreements made between the state and the commonwealth in relation to the last commonwealth-state disability agreement. That being said, let us get on to the specifics of what has happened. As a result of the $6 million extra new money last year, a number of new projects were established. Not all that money was spent last year, and the minister has announced that $600 000—the remainder of that money not spent last year—will be spent to establish three community houses to accommodate 12 people.

These are very important initiatives on their own, but accommodation for 12 people is the sum total of the increases in services for people with a disability from direct state disability funding this year. In relation to that accommodation, I am pleased that one of those houses is a community home for young people with Prader-Willi syndrome. Over the last couple of years, I have made representations to the minister in this regard. It was a much needed home, and it is good to see that four young people will be able to be accommodated in that establishment. There is to be a group home for people with disabilities at Port Lincoln and another one in the northern suburbs in an electorate close to mine for people with physical and neurological disabilities and high support needs.

It is good to see those things, but we need to remember that, as a result of this year's state budget, the sum total of new services for people with a disability is accommodation for 12 people. In this state, we need to remember just what the task ahead of us is in relation to adequately addressing unmet need in the disability sector. We know that in South Australia as at 1997 there was $28 million worth of recurrent unmet need. This figure was agreed upon by commonwealth and state ministers. This was estimated to grow at the rate of $2 million per annum, as more people reached the point of needing supported accommodation. Some money has been put in—$6 million by the state last year; $8 million by the commonwealth—but as of 1 July this year there will still be a $14 million recurrent funding gap to meet unmet need for people with a disability in South Australia. Members can see that we have a long way to go. This government did well last year with a $6 million offer, but it has completely dropped the ball this year and we have no indication of anything for next year. Again, this is another area where Labor will be left to pick up the ball and run with it to give some hope and some support to this most needy group of South Australians.

One of the other things that was mentioned in the minister's press release was additional respite care, and I understand this has come from Home and Community Care (HACC) funds. In particular, I want to talk about some extra help for the Elizabeth Bowey Lodge, which is located in Parafield Gardens out in the northern suburbs. I am particularly interested in that establishment. I worked with and highlighted with parents and community members the restrictions and cost cuttings that were served on that centre last year. The minister said in his press release that there was an additional $365 000 for Elizabeth Bowey Lodge. I actually checked with them today, and they said they got only $230 000 recurrent funding but that they would be most happy to get the balance from the minister as soon as possible. I will certainly be taking that up with him in the estimates committees.

Another thing they told me was that, even with the $230 000 they received, this will mean that, out of the 40 people on their waiting list for some form of respite relief, 25 to 30 people would be able to get some help. Unfortunately, this amount of money will do nothing for the 80 families who last year had their respite care allocation cut back because of the change in the funding arrangements. So, this is a small gain but there is still a long, long way to go.

I would now like to move to another issue. Yesterday my office was contacted by a constituent who was at her wits' end and in tears. She is a woman with a 13 year old son who is enrolled at a local high school but does not attend school. He keeps running away from home. I am reading from what she said to my assistant. He is now living in a dump house with six other kids aged 16 to 19 years. Every time he runs away the mother contacts the police, the police pick him up and bring him home and he runs away again.

Last Thursday he was brought home at night, high on some sort of drug. When he woke up on Friday he was aggressive and out of control. The police were called to calm the situation. They called FAYS, who said they could do nothing. The police escorted the mother and the boy to the Lyell McEwin Health Service to receive treatment. He absconded and has not been home since.

I rang Family and Youth Services in Elizabeth, and they explained how frustrated they were by not being able to put anything in place that would help this boy. They say they cannot put him in foster care, because there is no protection order in relation to him; and that there is an offer from CAMHS to help and intervene but the boy refuses to go. He has not broken the law—yet—so the police cannot lock him up or do anything with him. Mind you, he is 13 years old. Essentially, the supervisor today said to me, 'Look; we have had two tier 1 child abuse cases at our office today in Elizabeth. What would you say to us? Where should we put our time—to this 13 year old, who is greatly at risk, or to dealing with tier 1 child abuse cases?'

I would support the earlier comments of my colleague, Stephanie Key the member for Hanson, in relation to the concerns of parents in our community who are not coping with children who are out of control and who need a great deal of support. There is something missing in the system if kids like this young lad of 13 years of age are not going to school, are not at home, are running wild and nothing in our community is in place to support him, his mother and other parents like her trying to get their children back on track before they go right off. There is a huge gap there. We will rue the day that we did not act. We need to do something quickly and put in place programs that can address this urgently.

Mrs GERAGHTY (Torrens): I want to continue on from some comments I made yesterday. I note that the Premier has written to those people who recently signed a petition, and I

gave him more of those today. The people who signed the petition were protesting over any plans the government may have to shut part or all of Strathmont Centre. This centre is crucial to the care of our intellectually disabled folk, and it is a very important resource in the community. I was very pleased to read the Premier's comments that the government will continue 'to allocate funds for the maintenance of Strathmont'. However, given some of the government's past commitments, we have some concerns with this. I also note that in his response the Premier says:

> However, you should be aware that there are changes taking place at Strathmont Centre. Many people with disabilities no longer desire to live in a large institutional setting. Last year a number of Strathmont residents chose to move to nine houses in the community [that] the government specifically purchased for this purpose. The government will build a new 50 place aged-care facility at Northfield for Strathmont residents. When this work is completed, a further two villas at Strathmont will become surplus to requirements. As a result of these changes, the facilities and services at Strathmont will have to be adapted. You may be assured that the interests of people with disabilities remain the primary focus.

We are very pleased to hear that. I have had a very longstanding interest in the Strathmont centre and I am supportive of the care it provides, albeit under very difficult circumstances at times. The staff and administration are dedicated to providing a happy and caring environment for those people who reside there, and I certainly will be watching any changes that may occur. While I accept that some of these changes will and do need to be made (and I am sure that the families of people in residence at Strathmont will also agree with that), we will all be monitoring any changes to ensure that those with disabilities in that centre are not disadvantaged.

Another thing that I noted in the budget papers is that the government will spend $19.5 million on 50 more accessible airconditioned buses for public transport. Certainly, this is a most welcome announcement, but I and many of my constituents would like to know which areas these buses will service and the amount of disabled access they will provide. Last year, I wrote to the minister on behalf of a number of constituents. The constituents had at that time complained to me that some of the modern airconditioned buses with the lower access for disabled folk had been taken from the north and north-eastern suburbs and replaced with the older buses, and this was a major concern to people in my community. The older buses were not airconditioned and by far the majority of them had no access facilities for people with mobility problems, and this particularly disadvantaged the elderly.

From the response from the minister, I ascertained that the more modern buses—those which we had had in our community—had been redirected to routes in the southern suburbs. In reply to my letter, the Minister for Transport and Urban Planning assured me that:

> the delivery of 103 new air conditioned, accessible gas powered vehicles is proceeding with all the vehicles expected to be in service by December 2001. These new vehicles will replace the older buses and will further improve availability of airconditioned accessible vehicles in the fleet.

Given our hot summers, particularly our last summer, it is absolutely appalling for anyone to have to sit in a bus that is not airconditioned. It certainly does not encourage anyone to use our public transport system. My constituents have asked me to seek an assurance from the minister that a fair number of these new buses will be located in the north-eastern area. For instance, one of my elderly constituents, Mary, has a great deal of trouble boarding the older buses because the entrance step is too steep. Buses are her only means of transport and she is placed in a very stressful situation because of the amount of time it takes her to get on and off the bus, which causes her a great deal of embarrassment and, of course, it is very dangerous for her. People should not be placed in these situations. Given that bus drivers must keep to a very strict timetable, obviously Mary feels even more stressed and embarrassed about the situation.

The other issue is the hike in government fees and charges of 3.1 per cent, which will be a severe blow to many people on low and fixed incomes. Many older citizens and families on a low income are still reeling from the massive increase in petrol prices and the impact of the GST and many of them are beginning to despair as to how they will survive. The local government concessions that have been announced for pensioners and self-funded retirees are most welcome. However, it is a bit of a smokescreen and I guess we have to wonder what the real benefit is for the community. Councils will be hit by large increases in power bills due to the sale of our electricity industry so it is obvious that councils will pass on electricity charges to the ratepayers through higher council charges and most of us will feel the impact when we receive our rate notices this year. So, those most welcome concessions announced in the budget will have a very limited benefit for our pensioners and self-funded retirees.

The other issue is the CPI increase for Housing Trust tenants, which is causing difficulties for our pensioners and the disabled. Brian, who lives at Windsor Gardens, received an increase in his pension from Centrelink totalling $7.60 but almost immediately afterwards the Housing Trust increased the rent by $5. How can people on pensions and allowances survive when they get an increase such as this? Certainly, the federal government will lift the CPI with the allocation of the one-off $300 payment to people on aged pensions. Unfortunately, however, those under 65 years of age who receive government pensions and allowances will not get it, but they will get a slug in the consumer price index later this year, which will again raise rents for Housing Trust tenants. I suggest that this is certainly something that the government needs to look at. In Brian's situation, his overall benefit from his pension increase was about $2, which means that he and others in the same situation are going backwards. On behalf of people who are already on the poverty line, I ask that the government consider looking at that matter.

Debate adjourned.

WATER RESOURCES (RESERVATION OF WATER) AMENDMENT BILL

Adjourned debate on second reading (resumed on motion).

(Continued from page 1841.)

The Hon. M.K. BRINDAL (Minister for Water Resources): Before this matter was adjourned on motion, I was answering matters put to me, in particular, by the shadow minister and Ms White. Specifically in answer to Ms White's questions, I inform her that in the Northern Adelaide Plains there are 1 300 licences and that the total amount raised in penalties for 1997-98 was $358 240 of which $161 556 was collected, leaving an outstanding amount of $196 684 (or a percentage of 55 per cent). In 1998-99, the total raised for penalty payments was $984 429 and to date $214 128 has been paid leaving an outstanding amount of $770 301 (or 78 per cent). The amount expected to be raised by penalties

in the 1999-2000 year is, in fact, only $907 081, which represents a drop of about $77 000 from the previous year, which is a good sign.

In 1997-98, the number of people who attracted penalties was 105 out of a total of 1 300, which is not a large percentage of people, 73 of whom have paid and 32 are outstanding. In 1998-99, 155 licences attracted penalties of which 89 have been paid and 66 are outstanding. Given that 1999-2000 is yet to be collected, the number of licences on which penalties were payable was 136—a drop from the previous year, which is good. The penalty rates have basically been 20¢ per kilolitre for 100 per cent to 115 per cent of over use. Above 115 per cent it has been 90¢ per kilolitre, which has been the case for the years 1997-98, 1998-99 and 1999-2000. In 2000-01, it is proposed that the additional fee be 21¢ per kilolitre for the first 15 per cent and 97¢ per kilolitre over 115 per cent. The gazettal dates for the years 1997-98 and 1998-99 were done on the one day—25 June 1998. So for one year, the gazettal notice was done before the end of the financial year, as is legally required. For 1999-2000, the gazettal notice was made on 13 January 2000 and this year it was done on 10 May 2001.

The honourable member has raised concerns about the heavy-handed approach of the department in dealing with penalty charges in the Northern Adelaide Plains. This relates, in particular, to consecutive penalty bills for different years, very late billing, and the wording in associated correspondence which is thought to have been blunt and most inappropriate, given the ethnic mix and background of the member's constituents. My department is now well aware of the issues raised by Ms White and, from recent legal advice, of the need for penalties to be declared at the beginning of each financial year, which means that financial accounts should be issued only every 12 months, and arrangements can be made for payments over a period of time.

I must point out to the honourable member that, even though the letters were heavy-handed, I am absolutely assured that it was the sort of standard legal letter that goes out—'You will pay within 30 days,' and they are expected to know that what you then do is ring and say, 'I can't pay within 30 days,' and you negotiate. I accept that that may not have been appropriate in every case, and it can be construed as heavy-handed. I offer that to the House merely as an explanation.

The new water licensing system, WILMA (which the honourable member will note was in this budget), is being developed and will lead to a much improved service for all Water Resources Act licensing administration. This should streamline the process, which in the past has caused delays. The department will endeavour to be most sensitive in the wording of letters related to the penalty charge issues. I think that that, basically, covers the points raised by Ms White.

The member for Kaurna said, as part of his contribution, that, in dealing with pro rata, members of the select committee assumed (as I think the department assumed) that all the water would be issued, and there has been some conjecture about the formula that was used, because the select committee was not quite specific. I acknowledge that that may well have resulted in an excess of water being there, but the real problem was that, despite extensive advertisement, not everyone who was entitled to pro rata applied for pro rata. Of course, what we could have done (and what some people suggested we do) if people did not apply was to take all available water and give it out to those people who did apply. We did not do that because we thought that it would doubly disadvantage the people who had never applied, and who did not now want to apply, and we did not think that they should miss out on what was, after all, their entitlement and that someone else should benefit.

After all, in this House, we have repeatedly been told that the unfairness of the situation is because irrigators came in early in the piece, saw the advantage of water, paid the money and developed the water. Some dry land farmers said, 'This is not fair; we did not get our share of the water', which is why this House went down the path of pro rata water allocation. I put to this House that it would have been unfair had we then said that those who applied for the pro rata water can have the lot, they can have all that is left over, because it gives no capacity for those who have not applied, in the beginning or now, to get water in the future.

The member for Kaurna said (and I think this is the virtue of the scheme as it is proposed) that it gives to this parliament and any minister in the future (not me but any minister in the future) some right of flexibility in the name of the people of South Australia and for the better governance of the resource.

I think I will leave the rest to the committee stage but I would just add this. Several members have said to me that this gives to a minister for water resources fairly important powers, and that is true. But that is not out of kilter with many other acts. Under many acts in the statute books of this parliament, many ministers have some fairly extraordinary powers. It would be my intention that, so long as this act is committed to my care, rather than acting in splendid isolation and saying, 'I think Dairy Vale is a good bet for the South-East', or I think that something else is a good bet for the South-East, I would at least act in concert with some of my ministerial colleagues, and possibly—

Mr Hanna: That is a great relief to us.

The Hon. M.K. BRINDAL: Yes, but I put to the member for Mitchell were they his ministerial colleagues it might be a great relief to him. All I am trying to say is that, while it is a power reserved to a specific minister, the exercise of that power has to be judiciously managed, and it would not be my intention to do it in plenipotentiary style. I would think that, if the member for Mitchell's party was in power and the shadow minister was the minister, the shadow minister would probably do it under some sort of process that is transparent and understandable to his colleagues in the ministry, to his colleagues in the caucus and to the House, to which, in the end, he must answer. So, the power is there to be exercised by the minister in the name of the minister but I think it would be a foolish minister who took it all upon himself and said—

Mr Hill interjecting:

The Hon. M.K. BRINDAL: And we will have a few more foolish members in the future. But this House governs for the good and the wise and we, who are good and wise, can only be the ones who pass laws. If we get fools in the future, they have to worry about that, not us. I thank the opposition for its cooperation. I hope that the member for Taylor has at least some of the answers, and if she has any other questions I will try to provide the information.

Mr Wright interjecting:

The Hon. M.K. BRINDAL: No, I said that I am giving her some answers.

Bill read a second time.

In committee.

Clause 1.

Mr HILL: Mr Acting Chairman, I rise on a point of order. This bill has only, I think, three clauses. The third clause has

about 20 parts. If we are restricted to only three questions per part, we will not get very far. Would it be your intention, sir, to allow us to ask three questions on each section? I asked the Chairman of Committees that question when he was in the chair, and he said that that is the way he would go, and I encourage you to adopt that practice.

The ACTING CHAIRMAN (Hon. G.A. Ingerson): With the support of the committee, I think that it is a reasonable request and that we ought to treat them as (a), (b), (c), (d), etc., and use that sort of format.

Clause passed.

Clause 2.

The Hon. M.K. BRINDAL: I move:

Page 3—
Line 6, leave out 'This act' and insert:
Subject to subsection (2), this act
After line 6—Insert new subsection as follows:
(2) Section 3A will be taken to have come into operation on 2 July 1997.

Mr HILL: The second of these two amendments brings into play the operational date of 2 July 1997. Can the minister explain, succinctly, why he needs this retrospective power to apply to persons who illegally or mistakenly took water as far back as 1997?

The Hon. M.K. BRINDAL: I will try to be as succinct as I can, given that the member for Taylor is attending to little matters. This strikes at the heart of what the member for Taylor is concerned about on behalf of her electors. Since the 1970s we have known that the Northern Adelaide Plains has been under stress. Since that time penalty charges have applied for taking water in excess of that which is permitted by the licence. All water allocations in the Northern Adelaide Plains are volumetric and, therefore, there is a fixed quantum. There is a penalty charge if more than that fixed quantum is taken, and that penalty charge has applied since the 1970s. I cannot go back much before July 1997 because I have not researched it but, during that time, advice was given which made officers believe that they could set a charge at any time during the financial year that would apply to that financial year.

The member for Taylor asked for and has been given those dates. In, say, 1997 or 1998 a charge was set to apply but, instead of setting it before 1 July 1997, it was set in late May 1998. In the honest belief that all that had to be done was set the penalty some time in that year, it was set late in the year—and that was the advice that was given. Having established the precedent, it rolled along until late last year and early this year. The member for Taylor is concerned, as she said, about the fact that people received their bills late; that the bills were, in one or two cases, for quite substantial amounts of money; and that the owners believed—quite rightly, because the bill said so—that they had to pay within 40 days, and that this was unreasonable. The member for Taylor wrote to me. I gave her an answer but it was not an answer that she thought best suited the needs of her electors. As is her right, she took the matter elsewhere. At that time, we became aware that the past practice, while it was a mistake which was honestly made, was not, in fact, what should have happened.

Mr Hanna: Was that when you attacked her in question time?

The Hon. M.K. BRINDAL: I did not quite attack her in question time. She thinks I did. At that point the department realised that it had to secure these charges which it believed are legitimately owed, because they are penalty charges for the over-use of a very stressed resource. I do not think this House yet appreciates how stressed that resource is: it is a very stressed resource. These people have incurred penalty charges, which were fixed: a mistake was made in the way the charges were fixed, but it was always intended, since the early 1970s, that the penalty charges should be paid.

In answer to the member for Kaurna, this amendment seeks to ratify that which has always been the intention of this parliament, and that is that, if you exceed a volumetric allocation, a penalty charge must be paid, and that penalty charge is legitimately levied.

I conclude by saying that as long as I remain minister there will not be another instance of a charge which is gazetted after the date when it should be gazetted, which is the end of the financial year preceding the financial year in which the charges are to be invoked. The member for Taylor asked for that assurance, and I give it to her. What has happened is regrettable. There is an element in relation to which I believe we as a department are responsible and I seek to have this corrected and the mess cleaned up. However, I think the best way to clean up a mess is to ensure that it does not happen again.

Mr HANNA: I will tell the minister how the criminal law works. When there is what is popularly called a loophole in the law so that when somebody is arrested for drink driving, or for any other summary offence, and they go to court, the magistrate may say, 'The law does not cover what you did,' or 'The police did not fulfil the statutory requirements, even though they thought they were doing the right thing: they were sincere but they did not meet the statutory requirements which they must meet, for example, at a random breath testing station, according to statute.' The magistrate will then acquit that person and that will be the end of the case. The magistrate will deal with the law as it is at the time.

It is because of the injustice that can arise from retrospective legislation that people are acquitted in such cases and that is the end of it. It cannot be revisited unless parliament decides to go back in time and force people to pay a penalty for something which, according to the law, they did not have to pay at the time. By this amendment the minister says, 'We will go back in time; we will force people to pay a penalty which they did not have to pay under the law, in the light of the behaviour of the department at the time, whether it be as a result of misleading advice, wrong advice or whatever.' Therefore, does the minister admit that this amendment flies in the face of the principle of retrospective legislation which should not be applied to citizens who have acted in good faith?

The Hon. M.K. BRINDAL: I do not enjoy bringing an amendment of this nature into the House. I accept the principle that the member for Mitchell quite rightly elucidates. In my 10 years in this House I have seen this principle applied similarly and slightly differently—not inconsistently with the law but in this way: if there is a clear intent in a piece of legislation that if a set of conditions applies there may be a penalty, and if this House or a minister errs in enforcing that penalty, because the intent was clear and this House chose to amend and backdate it, then for a technical reason that money cannot be collected. I acknowledge exactly what the honourable member says about the criminal law. I do not enjoy this. All I can say in reply is that it was quite clear from the 1970s that a charge would apply if one used excess water, and that was known. Additionally, for most of those years the charge has been consistent—there has been no increase at all.

We must remember that in the middle of this one charge was lawfully levied. There was no question in that year that it was done before 1 July. So at least it can be argued that the people from that year, 1997-98 (and I believe the member for Taylor might have been thinking of an amendment along these lines), when it was correctly applied, that is, any of those ongoing irrigators, would have had a rightful expectation that that was the penalty they were likely to get in the next year. The member for Mitchell said it was a point of law. All I can say to him is that in the past this House has chosen to rectify such a situation by backdating it on the ground that it is not making the legislation retrospective but that it is making the intent of the parliament clear.

Ms WHITE: That just simply is not true; it is retrospective legislation. It is close to legislation the Liberal Party opposed in this House when it was in opposition. The minister said that he did not like it. The minister said that the irrigators should have expected the same penalties as applied previously. That neglects to take into consideration a very important point, that is, first, that even when some of those people contacted the department at various stages and asked where they stood with penalty waters used, they were given information that bills would be sent out imminently, in a matter of weeks. I have written to the minister saying that, despite that information, in the case of at least one of my constituents, the bill was not sent out for a year after they had been told that it was about to go out. It would have been a reasonable assumption to make that if you did not get a bill in a couple of weeks or a few weeks or whatever it was, you were okay.

The other point—and I raised this earlier—is that, when you get a bill so far down the track, there is no opportunity to question the amount of that bill. If the same meters that were used to generate the bill were replaced, you would not have that opportunity. This is all about fairness and justice. The minister said that his prime interest in all of this is the protection of the resource and, of course, that is a very good aim. How does collection of revenue so far down the track for something that happened years ago promote good use of the resource? If you were really serious about promoting good use of the resource you would get the bills out quickly so people could change their practices. That argument is quite a bit weakened by the actual practices of the department. In the end, for all this heavy-handedness and this pain, what are the growers getting for their money? The minister might say that all this work is being carried out, but that is still a really relevant point to look at. We can take this heavy-handed approach to recover these moneys, but what exactly will the growers see for these moneys that are being collected at such expense to them?

The Hon. M.K. BRINDAL: I do not enjoy this, and the member for Taylor realises that. I can only say to the member for Taylor that the minute this was drawn to my attention I answered in good faith and on the best advice—although she may not accept my reply. It was after she took other action that I learned more about this matter than I knew when I first signed the letter. That is my responsibility; I accept that. The minute I learned of this situation, I tried to correct it. It will not happen again.

The member for Taylor ignores one component, as does the member for Mitchell, and it is this: we are talking not about the 1 300 irrigators in the Northern Adelaide Plains but about a subset, fewer than 10 per cent of them. Therefore, we are not talking about the 1 200 irrigators every single year who have properly used the resource and who are still having that resource imperilled because fewer than 10 per cent of them are choosing to overuse the resource. We are not even talking about those irrigators—more than half of them in some cases—who have overused the resource either inadvertently or because there was a need to do so such as their crop having to have it or it would die.

They might have overused the resource and then paid the bill. If the parliament does not allow this, we could get the extraordinary situation where we have, rightly or wrongly, sent out bills that would be paid by people. However, those people who have refused to pay the bill because of a loophole (as the member for Mitchell explained) would not have to pay. So, some 1 200 people have been honest and used the resource properly and wisely and never exceeded their allowance. Those people who have exceeded their allowance and met their rightful obligation and paid will, in a sense, be victims. The only people to benefit will be those who are not required to pay because we have found a loophole. That is not fair. This whole situation is not fair.

I will answer the member for Taylor specifically: no good purpose has been served by sending these bills late. If we are to be genuine in this place, I as minister today and the member the Kaurna if he is minister at another time, will have to see that the bills have to go out, and they will have to go out on time. You cannot teach people a lesson on the proper use of the resource by sending them a bill three years after the event, and I acknowledge that to the member for Taylor. I can only repeat that the minute I became aware of this situation and as I learned of it, I have taken every step I can to ensure that there is not a repeat and that this is both a justice process for those who are using the resource properly and an educative process in the future for those who are not. It can only be an educative process if the lesson is learned when the error occurs.

Mr HILL: I accept what the minister has said. The facts are that the department got into a habit where it was sending out these notices pretty late. The minister has given some undertakings that he will make sure that will not happen again. In his further amendment later, the minister has given the department up to 12 months after the beginning of that period in which to send out the notices. So the notice is given up to 12 months after the beginning of the period for which the penalty may be incurred. That is still a very long time. Why has the minister not introduced a shorter period in which the notices can be put out?

The Hon. M.K. BRINDAL: If the honourable member reads the amendments to clause 2 in concert with clause 3(a), he would see that this corrects a mistake. Because the previous periods were set so late in the year, you must have this section to validate those.

An honourable member interjecting:

The Hon. M.K. BRINDAL: It does, and that is the stupid thing, because it should not.

An honourable member interjecting:

The Hon. M.K. BRINDAL: I have given you my undertaking that it will not happen again, and you can hold me to account again for misleading this place. I presume that, if you were to become minister, you would not fall into the same parlous error I have.

An honourable member interjecting:

The Hon. M.K. BRINDAL: I am sure you will. Therefore, you will not let it happen either. The only reason it is here is to cover those past practices which I acknowledge were not the best.

Ms WHITE: On that point, I am having drafted an amendment that would deal with the prospective nature of the issue that my colleague the member for Kaurna raised. Of the moneys that have been recovered under the legislation for 1997-98 and 1998-99, have any recovery agencies or debt collectors been employed? I am aware of some cases but obviously not all of the 105 plus 155 cases of irrigators who were charged with penalties, so can the minister answer whether debt collection agencies were involved and whether interest was charged on any of those penalties?

The Hon. M.K. BRINDAL: I am absolutely assured and I give an undertaking to this committee that there is no intention at all to charge interest in any form on any of these bills.

Ms White: Has it been charged?

The Hon. M.K. BRINDAL: No. I can only go on what the officers are telling me now, and I will not put them in a difficult position, so I will give the honourable member the answers. I believe that none has been charged. Especially because of the late nature of this, no debt collectors or anyone of that nature have been sent in. That may not be the case for the Northern Adelaide Plains catchment levy but, in respect of these late charges, I believe that no debt collection agencies and no heavy-handed tactics have been used, apart from the member's assertion that the letter itself is a heavy-handed tactic. I give the assurance that this request will be acceded to: no interest will be payable. We will be most grateful if we get some of the money but it would be a bit churlish for us now to say that we made a mistake and we are going to charge people interest for it. That goes beyond any sense of justice or reasonableness, and the member for Mitchell would tell me off!

Mr HANNA: How much does the minister expect to extract from people who have drawn water in the belief that a retrospective measure like this would not be enacted? What legal costs have people been forced to expend in dealing with the claims made by the department upon them? What recompense is there for people who have drawn water and been pursued so far under the intention of the department to recover a penalty which was not recoverable at law? What recompense is there for those people who have paid legal costs to fight that penalty, given that that money is, in a sense, wasted now that parliament has changed the state of the law retrospectively as of 2 July 1997?

The Hon. M.K. BRINDAL: I am not aware of any case at all where a person has taken us to any court of law.

Mr Hanna interjecting:

The Hon. M.K. BRINDAL: We have taken no-one to any court of law. We have imposed no collection agency fees or anything. The only action that I am aware of is that certain people have, by the member for Taylor's own words, approached the member for Taylor, who has approached me, and I am quite sure that the member for Taylor does not charge for her services. I do not believe there is any case of anybody incurring any expense over this.

As for the point made by the member, it could equally be asked by this committee whether there should be any penalty for those who have taken more than they were entitled to. A volume is printed on each licence, and the Northern Adelaide Plains is one of the areas where that happens. It is a volumetric licence. At the top of each licence it gives the holder a volume of water which they are permitted to take. Each licence holder also has a meter so they can ensure that they are taking within their licence. It is also clear that any breach of licence conditions, and that includes an exceeding of the volume, can be penalised by a cancellation of the licence. That has not happened.

Again I say to the member for Mitchell that 1 200 people are abiding by the law, irrigating their crops and growing their crops. In her contribution, the member for Taylor acknowledged the importance of that resource. The problem is that, with 100 people drawing down the resource more than they are permitted—and this is where I am embarrassed—how do we educate them when we send out the bills two years late? The member for Taylor made that point well.

That is our biggest shame in this because we are simply not educating them. In the meantime they have further imperilled a resource and 1 200 legitimate users may well be penalised, and I mean that in the sense that, as the member for Taylor knows, we are examining the resource and its sustainable limits. The more it has been damaged in the last few years, the harder it is for me to go out to the member for Taylor's community and say that, instead of thinking we have three-quarters of a bucket, we now have only half a bucket. That is the pain that the 1 200 legitimate users will bear, because their allocations will all have to be reduced to conform to the amount available in the bucket, and they will be in part bearing it because very few people have consistently not looked at their allocation and not looked at their licence.

I stand here and say that part of the blame is ours but I will not cop that none of the blame attaches to these 100 people who somehow did not know. Approximately 1 200 of the member for Taylor's electors happened to know that they had a licence that told them how much they could use and they stuck within the licence; 100 did not.

Mr Hanna: How much are you going to claw back?

The ACTING CHAIRMAN: The honourable member has already had three questions.

The Hon. M.K. BRINDAL: Whatever this parliament allows us to, but we do not intend to collect interest. My officers tell me that legally we could collect interest but there is no intent to do so and I say that again to this committee.

The ACTING CHAIRMAN: The member for Mitchell has already had three questions.

Mr HANNA: I take a point of order.

The ACTING CHAIRMAN: You can take a point of order but I have three questions down.

Mr HANNA: I asked my first question about retrospectivity, where I talked about the criminal law, and I have just asked my second question. My initial question was a point of order about which clauses we were dealing with. I do not see how that could be considered a question. It was a question about whether or not we were dealing with new clause 3A.

The ACTING CHAIRMAN: The member for Taylor.

Mr HANNA: I rise on a point of order, sir. You cannot dispute that I have asked only two questions on the substance of these amendments.

The ACTING CHAIRMAN: I have been advised that you may be correct.

Mr HANNA: My third question is a simple one. What are the results of the minister's investigation of the department into the fact that people have received bills two or more years after the event and have not been chased for them or prosecuted for them? How has this come to pass? Even if bills were late in the first place, how is it that the minister's department has not been pursuing people for what the department believed to be legitimate bills for penalties?

The Hon. M.K. BRINDAL: I remind the member for Mitchell that, in the course of the period we are discussing,

I have been the minister for a brief time frame and the department has existed for the same time frame. Previously this was a matter for another department and other officers. Certainly since this matter has been drawn to my attention, I have made very well known what my opinion is on this matter and what I believe, despite our differences, is an opinion shared by this chamber on an abuse of something as precious as water.

I hope the member for Mitchell will excuse me if I do not go much further than that. I think it is unfair. I am the minister, I have to take all the blame—and the member for Mitchell is quite capable of blaming me. I am not pleased with this. He can have my absolute assurance that I have certainly discussed this matter with departmental officers in an appropriate fashion, and I do not like standing up like this, and it will not happen again. He can construe what he wishes from that, in terms of conversations, but I think it would be less than honourable were I to turn around as minister and try to blame people, or say that I said this or I said that.

Ms WHITE: As we discussed before, part of the heavy-handedness by the department in the collection of the 1997-98 and 1998-99 penalties was that accompanying the bill was this acknowledgment of debt form which people were encouraged to sign, and the threat which accompanied that, namely, that, if they did not sign the acknowledgment of debt form, interest would apply. Quite conceivably, some would choose not to sign; some would choose to sign because there was the fear that, if they did not, these very sizeable bills for thousands of dollars would escalate and accrue interest; and some would have been so frightened by that heavy-handed approach that they would pay up in one go and not think there was any other mechanism by which they could make payment.

In relation to the matter that I brought to the minister's attention, there were other circumstances which made it a very unfortunate case. Of course, when constituents ask me whether or not they should sign this form, I can offer an opinion, but many would not come to me. I would imagine that the minister would have a number of outstanding debts where people have signed an acknowledgment of debt form; a number of outstanding debts where people have not signed an acknowledgment of debt form; and another group which has paid either in part or in full. What is the legal status of this acknowledgment of debt form? Is it a contract? Where do these various categories of growers stand in relation to their legal recourse; and how is that recourse affected by the amendment that the minister has on file?

The Hon. M.K. BRINDAL: The member for Taylor addresses the issues well. A whole set of complexities have arisen because of the set of circumstances in which we find ourselves. All I can tell her is that we will deal with them as best we can. I am not, as the member for Taylor knows, a lawyer. I would suspect that, if someone has signed a declaration saying that they are legally liable for a debt, it would have some standing if it was pursued in some form of legal jurisdiction. If you sign something acknowledging that you have a debt, I think it would have some legal standing. I am not sure what.

This is where I do acknowledge some perhaps cultural insensitivity in the way in which the letter was framed, because, as the member for Taylor would know, market gardeners are not all Anglo-Saxon, year 12 educated people. They come from a range of backgrounds, with a range of native tongues and they do not all speak English as their first language, which makes for a complexity. Some of them may well have paid because they did not realise they could pay on some sort of terms and, if that has caused hardship, I can say honestly to the member that I deeply regret that. Any person in this place who says that they were responsible for doing something that has caused another person hardship should not hold their head up or perhaps even be in here. I do not—

Ms Hurley interjecting:

The Hon. M.K. BRINDAL: Thank you, and I admit that. I would hope it is not the case, or, if it was the case, I hope it was in minimal circumstances. I do not understand the industry terribly well, but I think it is one of those industries where either they have a lot of money and, in some cases, could pay straightaway because they get a huge cheque when they sell a crop, or otherwise, as with cabbages or something, you do not tend to get $500 a week. Rather, you tend to get all this money all at once and then have nothing for a long time. I hope there was not a lot of hardship in it.

As I have said to the member, we will try to recover from this amendment the debts that were legitimately owed, but I do not think, given the background of this matter, it would be very sensible of me, or any of my officers, to get out there with jackboots, panzer tanks, or anything else, to try to collect this, other than in a well negotiated manner that not only suited the member for Taylor's constituents but also suited the member for Taylor. I do not fancy being savaged again at question time by the member for Taylor.

Amendments carried; clause as amended passed.

Clause 3.

Mr HILL: I move:

Page 3, lines 19 to 22—Leave out paragraph (b) and insert new paragraph as follows:

(b) the water resource includes excess water that is available for allocation; and

The impact of this amendment is to replace the phrase '20 per cent' with the words 'the water resource includes excess water that is available for allocation'. I foreshadowed this amendment in my second reading contribution. This amendment provides that the minister will have a discretion not just over the last 20 per cent in a proclaimed area, but he is capable of reserving all the water that might be available in a proclaimed area; that is, all the water that has not been hitherto allocated. That could well be in excess of 20 per cent, it could be 20 per cent, or it could be less than 20 per cent.

I can see no rational reason for sticking the figure of 20 per cent into the bill. If the minister wants to reserve water and apply it at his discretion, then why not apply it to the whole of the available resource? Why choose this arbitrary figure? If the minister chooses this arbitrary figure of 20 per cent, in particular areas for a period it will mean a first in best dressed approach to water allocation until that 20 per cent is reached, and then he may choose, if that 20 per cent figure is reached, to apply this section and then use his discretion to reserve it. If it is good enough to reserve the last 20 per cent, then it is good enough to reserve the whole lot. I will not die in a ditch if this does not get through, but it does seem sensible and rational to apply it to whole area.

In effect, I think it would help make the market work better, because it provides that the minister is taking up all the available water and as the owner of that water he can apply it in whatever ways are most appropriate, whether it is for environmental, economic or some other purpose that he may choose.

The Hon. M.K. BRINDAL: The member for Kaurna proposes an interesting amendment with which as minister I am not uncomfortable. However, having presented to this

parliament, my party room and Independent members of this place an argument for the reservation of 20 per cent of water, I feel duty bound to test that in the House. I am not uncomfortable with the amendment; however, in fairness, because I bought in here and asked the member for Gordon and others to accept 20 per cent as a reservation fee, I should at least tentatively oppose the amendment and see what the House has to say.

Mr HILL: I will ask the minister about the 20 per cent. He made that comment which I recognise is really telling the backbenchers to feel free to vote against the government—to vote against this one. He will not be overly worried if it goes down and he would encourage the backbenchers—or one of them who is in the chamber at the moment—to support the opposition on this one. I hope the Independents, who I know are not comfortable with the measure, would recognise that as something will get through at 20 per cent or more, it is more rational to have more. Since he chose 20 per cent, how did the minister come to that figure? What is the rationale for that figure that he has presented to his party room, backbenchers and so on?

The Hon. M.K. BRINDAL: It was basically to try to balance what the member for Kaurna has acknowledged to be a sensible and prudential management of the resource against the accusation that might be levelled against the government that we are just being greedy. Say there was a hundred in the South-East—and the member for Gordon knows that there are probably one or two such hundreds—where over 50 per cent of water is still available for allocation. It is fairly rare, but there are some. Therefore, if we reserved the whole 50 per cent it could well be said down there that here is a government that gave away water, first to irrigators, then on a pro rata basis. Then perhaps they realised that water was valuable so, rather than giving away any more water they came in and said, 'This is ours now; we will grab the lot.' That is not the intent of this, and the member for Kaurna has acknowledged that. I acknowledge that in moving his amendment the member for Kaurna is not trying to make some grand statement about a Treasury grab that will keep this state financed.

The reason that 20 per cent was arrived at was that it was basically a compromise between staving off the accusation that all we really wanted was to get our hands on the water so that we had an additional source of income, and the prudential management of the resource. The 20 per cent was not a magic figure; as the shadow minister knows, some 10 per cent has traditionally been reserved for the environment. Traditionally, this was an additional allocation of 10 per cent. It could easily have been a figure of 15 or 20 or 30. That is why I am not uncomfortable with what the shadow minister moves. That is the explanation.

Mr McEWEN: I wonder whether the movers of both the motion and the amendment could explain what is actually wrong with section 101(4)(c)(i) of the principal act. We have the interesting argument about 20 per cent on the one hand and all of it on the other hand, and it seems to me that they are both arguing about some sort of equitable balance between social, economic and environmental needs, which is exactly what that section of the principal act provides. Your amendment refers to section 101(4)(c)(i) of the principal act. You both want to amend it, but I cannot see that either of you is actually improving the original act. What the hell are you both on about?

The Hon. M.K. BRINDAL: With respect to section 101(4) of the principal act, as the member for Gordon knows, these details are what a water allocation plan must do. The minister of the day is bound by that plan and to allocate water in accordance with that plan until all the water is allocated. So long as it conforms to the plan, the minister does not have a discretion to say yes or no. The minister has a discretion to say solely yes if it is in conformity with the plan. There is no discretion to disallow something which is allowed by the plan.

The purpose of this amendment is to reserve a quantity of water—if the member for Gordon will—outside the plan so that that water can be held for two purposes. The member for Gordon said in his original contribution that this would not activate the market. The member for Kaurna, like me, put in his contribution that, if the water is held in reserve and made available only on the strictest criteria, to all intents and purposes the water would then have been fully allocated.

This is the attraction of the member for Kaurna's amendment. To all intents and purposes, all the water would have been fully allocated and that would activate the market. It allows that, where there is 10 per cent of water, it can be held in reserve for purposes other than stipulated in the plan. It may well be that a cheese factory in the South-East is a purpose within the plan. If that cheese factory comes along tomorrow and is within the plan the minister has no choice; he must grant them the water. If, however, lucerne growers come along and that is within the plan and they get all the water, the minister must grant them all the water until all the water is allocated.

Mr McEwen interjecting:

The Hon. M.K. BRINDAL: I meant some sort of irrigator in terms of an irrigated crop. If, after all the water is allocated, somebody comes along who wants to add value to the primary production by building a cheese factory, there is no water to be allocated and they must buy it from the market—from the irrigators. This allows some water to be reserved for environmental and strategic purposes so that, if the market will not sell the water, some water could be allocated by the Crown on certain terms and conditions—and not freehold but leasehold. In addition, as the member for Kaurna said in his contribution, this allows for the consideration of the select committee and some flexibility with a future forestry plantation, because it puts in reserve a quantum of water which if necessary could be placed against future forestry. As the member for Gordon knows, all existing and currently planned forestry has an underlying water allocation. In his contribution the member for Kaurna said this might give us a bit of flexibility when it comes to plantation forestry, and I acknowledge that point.

Mr McEWEN: That answer has left me more confused than ever, and the minister has gone well beyond what we are talk being here. The minister is now talking about cheese factories, land use change and everything else, and a lot of those are as much issues in fully allocated hundreds as they are in partially allocated hundreds, yet this amendment applies only to that water left in partially allocated hundreds. So, he cannot now take that same principle and apply it to a fully allocated hundred: he will have to find water in a different way. Either he will have to make a lot of different sets of rules or he is talking at cross purposes to his own amendment. It comes back to the original question. The minister actually approves the plan, so he already has the powers in approving the plan to set aside water. He talks about an equitable balance, and this tended to be in plans of 10 per cent, but that can be varied between plans. So, why does he need this other mechanism anyway? It will apply

only to new plans. He has consistently applied the principle under that section in the original act to date. I just cannot see what he is now trying to achieve: perhaps the member for MacKillop can help him.

The Hon. M.K. BRINDAL: I acknowledge that we cannot fix fully allocated hundreds. I have stood in this place, and the member for Gordon has supported me, and said that which we have given lawfully to people we cannot take away. If we have legally and lawfully allocated all the water in a hundred, we can do nothing about it. Admittedly, this implies a slightly different rule for those hundreds that are not fully allocated. Quite simply, because we have learnt in the process and may well have made mistakes by giving out all the water in fully allocated hundreds, and because we now are bound to honour our commitment to people who legally got that water, that in my opinion is no excuse to make the same mistake and give all the water away like Blind Freddie and prevent any future use of that water by the people of South Australia and the Commonwealth of Australia who are rightfully, at least in part, custodians of the water.

The other point on that matter is that the minister allocates the plan. I wish I was prescient. I wish that I could determine every possible future allocation that I believe the water allocation plan should cover—but I am not. I believe that this measure will allow a future minister wiser than I some discretion to have—

An honourable member interjecting:

The Hon. M.K. BRINDAL: No, I am sorry but I am not talking about the member for Kaurna—someone wiser than both of us. This allows a future minister who finds a need that none of us in this chamber foresaw to have the flexibility on behalf of the people to use that bit of water that remains—I would only propose 10 per cent—wisely and well.

Mr McEWEN: I will try to ask a specific question because that is the only hope I have of getting a specific answer. What is wrong with the words 'equitable balance'? It is 10 per cent or all of it. You talk about flexibility but what is wrong with the wording in the original act where it says 'equitable balance'?

The Hon. M.K. BRINDAL: There is nothing wrong with the words but I have made the point that I am duty bound to the plan to the point of 100 per cent allocation of the resource because it gives extra flexibility.

Mr HILL: You have mentioned 20 per cent and 10 per cent at times and I was a little confused. The 20 per cent we are talking about now includes the 10 per cent that has been nominally put aside for the environment, so we are really talking about a 10 per cent discretion that you could use for strategic or other purposes. I take it that the 10 per cent for the environment can be used only for environmental purposes. So, I take it that your amendment cannot change that.

The Hon. M.K. BRINDAL: The answer is yes.

Mr WILLIAMS: I support the amendment moved by the member for Kaurna. In my second reading contribution, I alluded to the fact that I thought that a little science was being applied to this measure when it came to the 20 per cent. I believe that one of the reasons that we have had ongoing problems with regard to water in the South-East is that we have given—and I emphasise 'given'—away property rights to something that I believe we had already sold as a state and allowed people to trade what was ostensibly a bit of paper rather than usage of the water, and also allowed people to use or not use the water and then trade it and gain huge windfall profits. That is what has driven all the bad things about water allocation and water trading in the South-East. With this bill, the minister is trying to control some of those bad things, and this measure, which is about holding back some of the water, is one way of controlling some of the excesses occurring in the South-East. As I have said, I believe that a little science has been applied, although I am not too sure whether the member for Kaurna understands the science behind his amendment.

I will try to explain why I believe that his amendment reflects more the science that occurs in the South-East. The areas we are talking about where there are significant volumes of unallocated water are largely to the north and west in the Lacepede-Kongorong proclaimed wells area—those areas heading towards the township of Kingston and further north. One of the problems in those areas is that a lot of the groundwater is saline. I believe that one of the reasons that we have substantial amounts of water unallocated is that that water is saline and is not suitable for irrigation purposes and will never be taken up by land-holders. What would be the point of taking it up? They cannot use it for irrigation purposes, anyhow. The only reason they might take it up would be to ensure that they maintained their right to grow a deep-rooted perennial crop such as a forest. In those areas, I do not believe that they will ever need to protect that right, because the demand for irrigable water will be very low.

What we are trying to do is set up a market but we will never set up a market in a hundred or a management area where, say, only 20 per cent of the water is of irrigable quality when we allow for 100 per cent of the water to be allocated. The point I am making is that, if you have a management area with 20 000 megalitres of catchment and we say that 20 000 megalitres is available for allocation but everyone on the ground in those parts of the South-East knows that probably only 5 000 megalitres of that water can be used for irrigation, we still keep allocating out until we have allocated the 20 000 megalitres. It is really a nonsense that we would allow ourselves to allocate a lot more water which puts a huge excessive demand in those areas where there is water of irrigable quality, and severe damage will be done to the irrigable water in those small areas in some of the management areas—sub areas, converting it, I believe in a very short time, to high levels of salinity and useless for irrigation, too.

The member for Gordon has raised the question: why would you want to do this and not rely on the provisions already in the act. I understand that the minister has said that the act does not allow the minister or the Crown to not allocate until all the water under the provisional annual volume (PAB) or the VLA, which is the new term that has been promulgated of late for volume licence allocation, has been used. The act does not allow the minister to hold back any of that water. In those areas where only a portion of the volume is ostensibly available for allocation, because it is related to the recharge, even though a lot of that water is not of irrigable quality, without a provision like this and by restricting this provision, as the minister would have us do, to 20 per cent of the PAB, it will still allow a lot more water of quality to be allocated that could be utilised.

So, the provision that the member for Kaurna has suggested in his amendment would allow the minister to manage the area, dependent on the actual on-the-ground situation of that area. As I said, if you had 20 000 megalitres of which only 4 000 megalitres or 5 000 megalitres was of irrigable quality, the minister could hold the other 15 000 megalitres out so that excessive pressure is not put on that 5 000 megalitres in a confined space.

I think that is the way we should go. The only way in which we can do that is by supporting the member for Kaurna's amendment, because the act as it presently stands does not allow the minister the discretion to manage those sub-areas within a management area. I will be supporting the member for Kaurna's very sensible amendment. I am somewhat disturbed that I did not come to this conclusion before it was brought to my attention by the member for Kaurna. I congratulate him for bringing the amendment forward. I think it is most sensible, and I encourage all members of the committee to support it.

I also point out that giving the minister the power to hold out of allocation greater than 20 per cent does not mean that the minister has to hold out greater than that quantity. If someone is in an area where all the water, or 90 per cent of the water, is of irrigable quality, the minister can choose to hold out only 10 per cent. This amendment does not say that he has to hold out all the allocated water: it says he can hold out up to all the unallocated water. If the minister is of a mind to set it at 20 per cent he can do that, but a subsequent minister, in a subsequent decision, could say that perhaps a little more should be held out to relieve the pressure on those small areas of high quality water within certain areas—and I am particularly talking about those management areas to the northern and western end of the Lacepede-Kongorong proclaimed wells area.

Mr HANNA: In the minister's last contribution, he contrasted the hundreds where there is a full allocation and those hundreds where there is yet only a partial allocation. He referred to mistakes, in general terms, in terms of the hundreds where there is full allocation. What are the mistakes, or the policy problems, that have arisen from the full allocation of water in those hundreds: and, if there is a problem, is that not an argument in favour of the member for Kaurna's amendment?

The Hon. M.K. BRINDAL: I do not mean to be discourteous to the member for Mitchell. We would vary in this place, but the member for MacKillop, the member for Gordon, the member for Chaffey, the member for Kaurna—and, indeed, the member for Mitchell—could probably spend hours talking about what, perhaps, we could have done better.

An honourable member: Just give us two minutes.

The Hon. M.K. BRINDAL: You honestly could not do it in two minutes—or two hours. If we were starting with a clean slate, there are a lot of things that we could do better. One of the issues (and it is not the subject here) with respect to water in a fully allocated hundred is the matter with which the Select Committee on Groundwater Resources in the South-East is currently dealing. Having allocated all the water in the South-East, if forestry then comes and wants to plant a large area, what do we do about the water? If the forest that is then planted uses some of the water that we have already allocated, what do we do about it? That is just one consequence, but I am sure there are many more, and I am sure that the member for Mitchell could form in his mind the opinion that he should support his shadow minister on this matter. There is a logic to what he is saying, and I have not refuted that logic. I must just say to the member for Kaurna that I have certainly not colluded with—

An honourable member interjecting:

The Hon. M.K. BRINDAL: No, I haven't. The member for MacKillop (and the member for Kaurna probably understands this) approached me and said that he was going to exercise his right, as Liberals can do, of siding with the member on this matter. He informed me, as he is obliged to do under our rules, and he informed the Whip. I did not have much say in talking him out of it, I am afraid.

Mrs MAYWALD: My question relates to a broader picture of water and the allocation of water. In the Riverland, the Minister for Primary Industries holds an allocation for 4.2 gigalitres, which he has acquired as a result of the $40 million Loxton Irrigation Rehabilitation Project. That 4.2 gigalitres is held as an allocation to the body corporate that is the Minister for Primary Industries. If that Minister is able to hold that water and do what he wants with that water—lease it to wherever he sees fit—why do we need this amendment at all? Why cannot the Minister for Water Resources just allocate an amount of water in each hundred as that minister sees fit?

The Hon. M.K. BRINDAL: The answer is that the water which is currently, I think, held in the name of the Minister for Water Resources, but under the allocation of the Minister for Primary Industries, is water which was, in fact, previously allocated as part of the cap and which was, effectively, purchased through the closing of those schemes. It was water that was part of the cap that was previously allocated, so it is part of that scenario, whereas this water we are talking about is water which has not been allocated: it is unallocated water.

Mrs MAYWALD: What prevents the Minister for Water Resources allocating some unallocated water under the existing Water Resources Act to the minister for exactly the purposes that are being suggested through this amendment? Is there a legal impediment to doing it that way? Do we need this amendment at all?

The Hon. M.K. BRINDAL: I believe that I could probably do what the member is saying if it was in the water allocation plan. But there is no water allocation plan for any of the management areas that gives the minister power to allocate water to himself or for any other purpose. The minister can only allocate water in accordance with the plan. This is not a power envisaged in any of the plans; therefore, it would not be possible.

Mrs MAYWALD: If the minister were to apply for an allocation, as does anyone else under the existing water allocation plan, could he not reserve that water along those lines?

The Hon. M.K. BRINDAL: No (the member for Chaffey herself explained this to me), because I would have to apply for it under the plan and I would then have to state the purpose for which I wanted to use the water—and the purpose for which I wanted to use the water would indeed have to be a purpose. As the member for Chaffey pointed out to me, if it was water from the river, for instance, I would then be required to do an IDMP, and all sorts of things like that. So, I could not apply for it for a purpose and not use it for that purpose.

Amendment carried.

Mr HILL: I move:

Page 3, line 33—Leave out 'notice' and insert:
regulation
Page 4, line 2—Leave out 'notice' and insert:
regulation

I thank the committee for supporting my first amendment. This section, basically, inserts the conditions that the minister has to apply before he reserves water into regulations rather than into notice. That means that parliament has a say in those conditions: it can reject them or it can accept them. It means that there is greater scrutiny and greater transparency (I will not bother the committee with that), and there are a couple of

subsequent motions which are similar and which I will move subsequently.

The Hon. M.K. BRINDAL: This is your amendment for regulation?

Mr Hill: Yes.

The Hon. M.K. BRINDAL: I do not support the amendment, although I am comfortable with it, but I ask the member for Kaurna whether he would care to reconsider his amendment. I am certainly not against parliamentary scrutiny or the parliamentary process but, from the point of view of a minister perhaps allocating water for a new development in this state or something similar, it gives the opportunity for a member of this House who objects to that development to disallow a regulation. That is the absolute right of every member of this House. Therefore, it makes some of the planning processes less certain.

I have never been afraid of parliamentary scrutiny. I think, on general principle, that it is a good move. The only reason it is not included in this case is, if the state wanted to back a particular form of development, there could be perhaps one member in this place who, for some reason—any reason—did not object and that regulation could be disallowed. If I am correct, it then has to go to a motion of the House but in the meantime nothing can happen. So it is really a subjective decision about whether this will hold up development.

Mr HILL: I do not have the benefit of an expert sitting next to me giving me advice, but I would have thought that my amendments merely put into regulation the conditions and the requirements that would apply. They do not relate to particular acts of reservation: rather, they apply to the minister's decision to reserve water, not to his decision to allocate the water, having reserved it.

The Hon. M.K. BRINDAL: I am prepared to accept what the member for Kaurna said. A situation has arisen whereby parliamentary counsel, who has prepared all of our amendments, has had to leave for personal reasons, so I cannot ask him. I am prepared to accept what the member for Kaurna says at face value and if there is a problem with it we will alter it in another place.

Amendments carried.

Mr HILL: I move:

Page 4, line 12—After 'limited term' insert:
of not more than 15 years

The effect of this amendment is to set a specific term on the discretion of the minister to allocate reserved water. The current term is a limited term but, as I understand it, that could be 99 years or longer—it could be 200 years, as we saw with the ETSA privatisation. So, I think that discretion needs to be limited in a specific way. I have moved an amendment of 15 years. If the minister is not happy and prefers 20 years, I would not be upset, but I think there should be a specific amount of time that applies so that there can be some regular review. Otherwise, if it is an extremely long-term lease arrangement, then it may as well have been given to the person or the company.

The Hon. M.K. BRINDAL: I am quite happy to accept the amendment. The only point I make to the shadow minister in accepting this amendment is that I will undertake to make inquiries while the bill is between houses. Say, for instance, a paper mill approached the government and said, 'We need a water allocation but we cannot buy it on the market. We have done all the tests. Our bankers tell us we need a water lease for 20 years: we need 20 years supply of water before we do it.' Fifteen years may well be enough from an economics point of view, but I would argue for 20 years because some businesses may need that period in order to secure finance. I will accept the shadow minister's amendment and, in the spirit of what he said, I will speak to him while the bill is between houses and if we agree that 20 years is preferable to 15 years, we will fix it in another place.

Mr HILL: We will cooperate to make sure that we get a good fix on that, and I am pleased that the minister accepts the principle. I have a number of questions about this section generally, and I will perhaps ask them all at once. Paragraph (a) refers to the fact that the allocation plan does not apply to the reserved water that is allocated. Why is that provision included? What is the impact of that provision? Paragraph (c) relates to the fact that the minister has a discretion as to how much is paid, if anything is paid. I would like to know why that discretion is included. Paragraph (f), which I referred to in my second reading speech, does not allow transfers. I gave some examples where I think transfers might be warranted. Perhaps the minister can address those three questions in one go.

The Hon. M.K. BRINDAL: The water allocation plan may set out the purposes of use for which water may be allocated. The minister, if he was bound by that, would probably then not be able to allocate the reserved water for a strategic purpose other than the purpose that existed in the plan. If, for instance, a new industry came along which had not been thought of in the plan and the minister was bound by the plan, he would not be able to allocate water for that purpose. It is to give flexibility to industry for a purpose that had not been thought of in the plan. I repeat: the onus would be on the minister at any time to be judicious and wise and probably to take advice from his ministerial colleagues, his caucus and the House on this sort of matter. The purpose of his not being bound by the plan is to allow for extraordinary situations.

The other point the shadow minister makes, which follows on, I think, is that the minister may require an applicant to pay to the minister, for the allocation of reserved water, a negotiated amount. I think the House would generally accept the principle that perhaps the amount that should be paid should be a commercial lease rate or the best return that the government could get on the water. I think that would be the general principle that would apply. If, however, somebody approached the government with a proposal that required some water and attracted 10 000 jobs to the South-East of South Australia and had a huge value added component, the government of the day may well be minded to say, 'We will offer you a special rate on the water' because of the economic benefit to the area: that might be one of the tools that the government could use to attract that industry.

The member for Kaurna well knows—and I think, with me, he deplores—the sorts of bidding wars that states seem to be involved in, and sometimes we seem to throw money at industries to get them to come here rather than go to Victoria. You have to wonder who is the real winner in that. Nevertheless, while this is going on, this could be a tool that a government could employ to entice a new sunrise industry—something that the state really wanted which would be advantageous. So, again, it gives flexibility. I believe that the general principle is that the market rate should apply. Certainly, if it was a high value industry involved—say it was something to do with the wine industry—why not charge them the market rate at the very least and, if they wanted it badly enough—and we did not want it as badly as they wanted it—perhaps even more than the market rate.

Mr WILLIAMS: That was a rather interesting answer from the minister. I accept the part of his answer where he asked, 'Why wouldn't the government want to charge a market rate?' To be quite honest, that should be the principle we abide by. If we want to encourage a particular industry or project by giving them a leg-up, or whatever, we should do it through the level playing field mechanism that we use for industry development, through the Department of Industry and Trade or whatever it is in the future. By allowing the minister this latitude to give a leg- up via this mechanism, we are all of a sudden introducing a very ad hoc method of providing incentives for industrial development. An industry might want to go into an area such as the South-East where some water could be available and held in reserve by the minister. However, that industry may not meet any or all the criteria generally applied by, say, the Department of Industry and Trade in other areas of the state. It might be able to get itself over the line by lobbying the minister of the day who is concerned with water resource.

As I said in my second reading contribution, I would have thought it would be better to have in legislation a provision such that anybody taking up a water allocation via this reserve water mechanism would pay the market rate, give or take a percentage, depending on what we are trying to achieve. That would put everybody on an even footing. If a business or a project comes to the government and says, 'We need a bit of help to go over the line,' it should go through the normal channels with all other businesses through industry and trade and try its luck with the criteria generally applied to businesses. I fear that it will open the back door for some industries to get a leg-up by playing one minister off against another.

The Hon. M.K. BRINDAL: I accept the member for MacKillop's point. I can only reiterate that the principle we believe would apply—and the Minister for Primary Industries currently applies this principle—would be to get an independent valuation of market rate and to fix that. Could it at some stage give advantage to a particular industry? The answer is yes. If you give it a discretion it could, but that should be balanced by the fact that the member for MacKillop—who I am sure will be here for many years—would be here either to push the advantage on behalf of the industry concerned—I remind the honourable member that he might be the one coming in and saying, 'We have this great opportunity. You will help them out with their water, won't you, minister?'—or alternatively he could be the safeguard who says to this House, 'This minister is behaving unreasonably; he is giving an unfair advantage to this industry, and it is simply not fair.' That is what the parliamentary process is all about: to balance the excesses of ministers who would never be of this persuasion but who may well be of the shadow minister's ilk. The parliament is here to be that check and balance, and this seeks to give the flexibility so that the executive can act in the better interests of the people of South Australia.

Amendment carried.

Mr HILL: I move:

Page 4—

Line 25—Leave out 'a notice made by the Governor and published in the *Gazette*' and insert:

a regulation

Lines 28 and 29—Leave out subsection (2) and insert new subsection as follows:

(2) A regulation referred to in subsection (1)(a) cannot come into operation until it is no longer possible for the regulation to be disallowed under section 10 of the Subordinate Legislation Act 1978.

This is to change notice to regulation. The points I made before stand now.

The Hon. M.K. BRINDAL: We accept the amendments.

Amendments carried.

Mr HILL: I thank the minister for supporting those amendments. I now move:

Page 4, lines 35 and 36—Leave out these lines and insert the following:

each quarter setting out—

(c) the quantity of reserved water allocated to each person during the quarter; and
(d) the name of each person to whom the water was allocated; and
(e) the term during which the allocation operates; and
(f) the amount or amounts payable for the allocation of the water and date or dates on which those amounts are payable.

This requires the minister to give more information by way of notice in relation to reserve water he has allocated. It adds two parts: first, the term during which the allocation operates, and we have already said that that term now is a maximum of 15 years. So the community should be advised of that, and also of the amount or amounts payable for the allocation of water and the date or dates on which these amounts are payable. In other words, if the minister has done a deal with an enterprise to supply it with water, it cannot be a sweetheart deal: it has to be on the public record. If it is lower than the market rate, he will have to explain why that is the case. If it is greater than the market rate, equally that is the case. This puts it on the public record and provides more transparency, and it would give the opposition greater satisfaction that this would operate in a fair way.

The Hon. M.K. BRINDAL: I am sure the member for Kaurna will circulate this in his newsletter, but the government thinks this is a worthy amendment and we accept it.

Amendment carried; clause as amended passed.

New clause 3A.

Ms WHITE: I move:

Page 5, after line 7—Insert new clause as follows:

Amendment of s. 132-Declaration of penalty in relation to the unauthorised taking of water

3A. Section 132 of the principal Act is amended by striking out subsection (2) and substituting the following subsections:

(2) The Minister may declare different penalties—
(a) depending on the quantity of water taken;
(b) for water taken from different water resources.

(2a) A notice declaring a penalty under subsection (1)(a)—
(a) will apply to the taking of water in a consumption period that corresponds to an accounting period specified in the notice; and
(b) —
(i) may, in respect of accounting periods commencing on or after 1 July 1997 and ending on or before 30 June 2001—be published in the *Gazette* at any time before or during the accounting period;
(ii) must, in respect of accounting periods occurring after 30 June 2001—be published in the *Gazette* during the first half of the accounting period.

(2b) A notice declaring a penalty under subsection (1)(b)—
(a) will apply to the taking of water in the period specified in the notice; and
(b) may be published in the *Gazette* at any time before or during that period.

(2c) Where a person—
(a) has been served with a notice of liability for a penalty under this section in respect of an accounting period occurring at any time between 1 July 1997 and 30 June 2001; and

(b) has made a complaint to the Ombudsman under the Ombudsman act 1972 in relation to the notice, the following provision apply:

(c) the Ombudsman must if—

(i) he or she forms the view on investigating the complaint that the complainant has suffered hardships because of the time at which the notice declaring a penalty was published in the *Gazette* or because of any other relevant circumstance; and

(ii) the penalty has not been paid,

serve notice on the minister directing the minister not to proceed with recovery of the penalty until the dispute has been resolved; and

(d) the Ombudsman must direct the parties to attend before him or her in an attempt to reach agreement on the dispute but if agreement cannot be reached the Ombudsman must determine the amount of the penalty (if any) that should, in his or her opinion, be paid by the complainant; and

(e) the amount agreed between the parties or determined by the Ombudsman under paragraph (d) is the amount of the penalty payable by the complainant under this section and any amount that has been overpaid by the complainant must be repaid to him or her by the minister.

I will put on the public record the explanation for this move. The minister has on file an alternative amendment, the key part of which introduces the retrospective collection of levies for the years 1997-98 to 2000-01. I should add that the critical wording of the minister's amendment was that from 2 July 1997 'a notice declaring a penalty under subsection (1)(a). . . may be published in the *Gazette* at any time before or during that accounting period'. As I indicated earlier, the problem with that was twofold: first, it is retrospective to July 1997. Its retrospectivity has implications for a lot of growers in the Northern Adelaide Plains district. However, the second objection was that it was also prospective in that in future years it would enable the minister to gazette late and repeat the circumstances that have led to a great deal of pain and unfortunate circumstances out on the Northern Adelaide Plains. Clearly, I saw that there was a need not to support that amendment, and I have put forward an alternative.

In essence, the purpose of this is to give an avenue of appeal for those irrigators principally in the Northern Adelaide Plains, and any others who come under this circumstance, who have been or will be issued with notices of liabilities for penalties under the act for the years 1997-98, 1998-99, 1999-2000 and 2000-01. Should any of those irrigators who received such a notice consider that there are special circumstances and that they deserve consideration by the department, under this amendment they will be able to present their case to the Ombudsman, who will act in accordance with the Ombudsman Act 1972 and all those provisions will click in.

If the penalty has not been paid, under new subclause (2c)(c)(ii), the Ombudsman, having found that there is a case for the department to answer, will serve notice on the minister directing the minister not to proceed with the recovery of the penalty until the dispute has been resolved. The purpose of that is to ensure that the department does not start charging interest or coming down in a heavy-handed way on the irrigators before the Ombudsman has made a determination.

The next step is that the Ombudsman would attempt to conciliate between the department and the water licence holder and determine an outcome. Subclause (2c)(e) provides that the Ombudsman determines a fair settlement and, if that is less than the amount of the penalty charged and if the bill has already been paid, the department would refund whatever portion the Ombudsman regards as overpayment. So, this measure is all about fairness. I explained earlier why this measure is necessary, given the outcome.

There is just one final point that I would like to make. The minister has come in here tonight with a very conciliatory tone towards me and the Northern Adelaide Plains irrigators. However, on 16 May he came into this chamber and launched a broadside. He attacked me for representing my constituents, he accused me of aiding and abetting criminal activity, he cast aspersions on the Northern Adelaide Plains region and the integrity of that region in terms of its water use, and he cast the net very wide indeed. In the language that he chose to use in his tirade, he referred to Star Force assisted searches and seizures and theft and dishonesty.

At the time I made my second reading speech earlier today, I was not aware of this, but my office has subsequently sent me a copy of an article that appears in this week's local Messenger. I do not know whether the minister has seen it. It is entitled, 'We're not cheats, say growers'. What concerns me is the response from the minister. He has come in here in a very conciliatory mood because he is under some pressure on this issue, but the subheadline is, 'Virginia irrigators "immature": minister'. The article quotes the minister as dismissing as 'immature' the farmers' concerns over his comments in parliament, and also quotes the minister as saying, 'This type of response represents a lack of maturity on behalf of Virginia irrigators.'

The point I am trying to make is that the minister sets the tone and the attitude for his department. We have been talking about a heavy-handed approach by the minister towards the growers in my electorate and in their treatment by his department, yet the minister sets the tone. With all the upset that is felt in that area, these growers feel very hard done by. They are paying more cents per kilolitre for their water than other regions of the state. They see themselves as being targeted, and the minister, through his comments and by his attitude, must do something to defuse that situation, not inflame it, so I was quite disturbed to see that article in this week's local paper.

My amendment aims to give some fairness and justice to those growers who have been caught in quite an unfair situation and, hopefully, the guarantees that the minister has given tonight will be carried through in terms of making sure that the processes used by his department from now on in its treatment of irrigators and in recovering such moneys will improve.

Progress reported; committee to sit again.

SITTINGS AND BUSINESS

The Hon. M.K. BRINDAL (Minister for Water Resources): I move:

That the time for moving the adjournment of the House be extended beyond 10 p.m.

Motion carried.

CLASSIFICATION (PUBLICATIONS, FILMS AND COMPUTER GAMES) (MISCELLANEOUS) AMENDMENT BILL (No. 1)

Received from the Legislative Council and read a first time.

WATER RESOURCES (RESERVATION OF WATER) AMENDMENT BILL

In committee (resumed on motion).

(Continued from page 1861.)

The Hon. M.K. BRINDAL: In the course of this debate, we have said that processes have been put in train which are not correct. In the course of this debate, we have said that we would not seek to penalise people who did not deserve to be penalised and that we would try to rectify this matter with some justice. Therefore, I think the amendment of the member for Taylor is sensible and goes as far as she can and as far as this committee can to try to protect her constituents to see that they are not unfairly treated in this process. Therefore, I propose to accept the amendment standing in her name and say that it is sensible.

I have not seen the article this week—and I acknowledge what she is saying—but in terms of when the Messenger Press rang me and I said that there was an immaturity, it was an immaturity in respect of the way in which this matter has been handled and that I should talk to the irrigators—and the member for Taylor is welcome. I will go to see them, or they can come to see me, and she can lead a delegation—I do not care how it is done. Those remarks were made solely in the context of the Messenger Press contacting me and saying that I had suggested that this was motivated by some mistaken impression that I believed they were growing marijuana. The member for Taylor would know that has not been canvassed in this committee by me or anyone else.

I have no knowledge of anything such as that, and certainly it is not part of any thinking that I have had at any time in this matter. Whether I am right or wrong, my sole motivation in this matter is the protection of the resource. If marijuana is cultivated there or anywhere else, it is a matter for the police minister: it is a matter for this parliament in the context of other bills. It is simply not my province or my consideration. I was disappointed that that should have been raised and I do not really understand why. Some people may grow crops that they should not grow—I am sure they do all around South Australia in all sorts of places at all sorts of times—but that did not motivate me.

This will reach a new maturity when the irrigators can sit down with the member for Taylor and discuss it, rather than try to do it through the Messenger Press. Therefore, yes, I do set a tone, but it is important that we move on in this. Finally, in accepting the amendment of the member for Taylor I say this: we will have a fairly strong statistical indication of the available limits of the resource within the next six months. I will then discuss this with the member for Taylor—I hope with the help of the member for Taylor—and all the irrigators just how much water is available and what we will have to do to fit their permits for water into the water that is available—and that will not be easy.

It was a horrendous process in the McLaren Vale area and it will not be any easier here. Those remarks were made in the following context: that is, that it is very important for me as minister, for the member for Taylor acting on behalf of her constituents and for every one of them, that we can analyse rationally the amount of water that is available, and the fair distribution of that water, so that it is available not only next year but also for every year to come, and that their water entitlement is secure.

Mr HANNA: As a politician and a colleague of the member for Taylor, I commend her on her desire for justice and fairness on behalf of her constituents. As a lawyer, I simply make the observation that, if this amendment is passed, we are taking a momentous and extraordinary step in according what seems to be a judicial power to the Ombudsman, and I suppose it remains a moot point as to what rights of appeal someone might have if they were aggrieved with the Ombudsman's decision.

New clause inserted.

New clause 3B.

The Hon. M.K. BRINDAL: I move:

Insert new clause as follows:

Amendment of section 138—Imposition of levy by constituent councils

3B. Section 138 of the principal act is amended by striking out 'owned or' from paragraph (b) of subsection (5).

Mr HILL: I indicate that the opposition supports this amendment: it is a sensible one.

New clause inserted.

Clause 4.

Mr HILL: I accept the basic principle that those who are denied water should have a right of appeal, but it raises a question about whether there should be third party appeals against the allocation of water given inappropriately to potential developers. Will the minister comment on whether he has given consideration to that and whether he believes the current legislation allows third party appeals against inappropriate allocations?

The Hon. M.K. BRINDAL: Third party appeals only apply in the Water Resources Act where the water allocation plan allows for third party appeals (which is not all the time anyhow), but being outside the water allocation plan it makes this specific provision, if that makes sense. The member for Kaurna previously commented to me: 'Why should this be outside the water allocation plan in respect of a different section?' I explained that. Its being outside the plan gives a right of appeal outside of the plan. Does that make sense?

Mr HILL: As I said, this section did not apply to the allocation of reserved water. This is everywhere else other than the reserved water, or have I got that wrong?

The Hon. M.K. BRINDAL: The reason is very simple and self-evident, it is just that none of us understands it. The government would seek to allocate the reserved water for strategically important purposes. That being a government decision, rather than a decision of the catchment management board, or those doing the water allocation plan, it would be inconsistent to allow an appeal against a decision, which, in effect, would give the ERD Court the opportunity to determine strategic priorities. What I believe it is saying is, if for strategic purposes the government wants to allocate water, it would be incongruous to give the right of appeal to the ERD Court which could—

Mr HILL: That was not my question.

The Hon. M.K. BRINDAL: Do you want to ask the question again?

Mr Hill interjecting:

The Hon. M.K. BRINDAL: That is what we thought it was.

Mr McEWEN: Given the remarkable events of a little earlier this evening, when the minister on the voices supported an amendment proposed by the opposition to the reserved water, is not this clause now irrelevant, because is not all water now reserved water, other than water that is already dealt with in the allocation plans? We no longer have water which will be neither allocated or reserved.

The Hon. M.K. BRINDAL: This section provides that people can appeal a transfer of water or any part of the plan except that part of the plan where it is from the minister's allocation of water. This allows for appeal rights for a variety of purposes in accordance with the plan, but simply does not allow for appeal rights where the water allocation is from the minister's reserve.

Clause passed.

Title passed.

The Hon. M.K. BRINDAL (Minister for Water Resources): I move:

That this bill be now read a third time.

Mr HILL (Kaurna): I will speak briefly on the third reading to indicate that this is an occasion when the parliamentary process has definitely improved the bill that was before the House. I congratulate those members on the other side who supported all the opposition's amendments; as a result of that, the bill is a better bill. It provides better certainty, it will help the market develop in the South-East in particular, it provides a lot more transparency and minimises the chances of corruption or special favours being given to mates. So, on that basis alone it is an improvement. I undertook to the minister that if he discovers some problems with some of the measures we have passed we will look at them in another place, and I confirm on the record that that is what we will do.

The Hon. M.K. BRINDAL (Minister for Water Resources): I thank all members on both sides of the House for their contribution. If there is one thing the member for Kaurna will be remembered for it is his modesty. Seriously, the government has accepted a variety of amendments. I think it will be a poor day when any government in this place cannot look at opposition amendments and, if they seek to improve the intent of the government and after debate it becomes obvious that things can be improved, if any government in the future seeks not to accept opposition amendments it will be a very poor day indeed. That the opposition has helped improve this bill is something for which it deserves credit. I thank all members for their contribution.

I particularly thank the member for Taylor. I know she does not necessarily agree with all these things and that aspects of this bill cause her particular stress that is not universally shared by the 47 members of this House. She is part custodian of, and in a sense has most of the irrigators using, probably the most stressed commercially used resource in the state, so I acknowledge that it is not easy for her. She has played a very constructive part in obtaining the balance between fairness in the use of the resource and a just outcome for her electors.

Bill read a third time and passed.

ESTIMATES COMMITTEES

The Legislative Council intimated that it had given leave to the Treasurer (Hon. R.I. Lucas), the Attorney-General (Hon. K.T. Griffin), the Minister for Transport and Urban Planning (Hon. D.V. Laidlaw) and the Minister for Disability Services (Hon. R.D. Lawson) to attend and give evidence before the Estimates Committees of the House of Assembly on the Appropriation Bill, if they think fit.

APPROPRIATION BILL

Adjourned debate on motion to note grievances (resumed on motion).

(Continued from page 1850.)

Ms KEY (Hanson): My comments in this grievance debate will be directed mainly towards the youth portfolio for which I have responsibility, and I would also like to make some points with regard to the electorate. It is interesting going through the papers and noting that in volume 1 one of the highlights under 'Premier and cabinet' is considered to be the Barcoo Outlet. For many different reasons that I have already stated in this House, I find it very hard and very sad to hear that the government sees the Barcoo Outlet—an environmental disaster for the coastline I represent—as one of the highlights. Another fascinating highlight listed under 'Premier and cabinet' (and again I am underwhelmed by the concept) is continued negotiations between Adelaide Airport Limited and airlines. So far, I understand that the negotiations have been disastrous and have gone absolutely nowhere, so it is quite concerning to see that two areas within the electorate of Hanson, to be included in the new electorate of West Torrens, have this amount of attention paid to them.

I also note that funding for the second stage of the development of the William Light Reception to 12 School has been announced. The interesting thing about that is that the completion date is seen to be July 2001. If that were true and I could believe that would be the completion date, I think the people who work at William Light—the students and also the parents—would be absolutely delighted, but it seems unlikely that it will be on target. Cowandilla Primary School, which is in very bad shape, has also been acknowledged as getting some funding in the next financial year, and it is not before time. Given the pot holes in the school which people are tripping over, not to mention some of the run-down facilities, this will certainly be a welcome grant.

As I understand it, additional funding has been identified for the West Beach Trust, now called Adelaide Shores, mainly due to the surplus that has been created through the good work that has been done by the West Beach Trust and the workers in that facility. I note that in 2001-02 it is proposed that additional accommodation units be built and also that the public BMX track, which has been awaited with great anticipation by some of the younger members of the electorate, has also been identified. I feel very positive about that initiative. Of course, the West Beach Trust has looked after magnificent tourism in South Australia. West Beach has always been identified in the past as one of the areas to which many people, particularly from interstate, would come for their annual holiday. The facilities make that area a very good destination for families, with a very good swimming beach. I hope that the disaster of the Adelaide Shores boat harbour and now the Barcoo Outlet do not ruin that very long and excellent tradition of using West Beach.

I would like to mention two other areas. The community sector has shown great concern over the proposed cutbacks to the public sector graduate program from 30 June this year. Although it is very hard to unpack the details from the budget, on comparing the figures and also the so-called outcomes from last year it seems to me that the public sector graduate program, which has been hailed as being very successful in South Australia, has been in trouble and cut back. I hope the minister will be able to correct me on this but, certainly on my reckoning and reading, we have some

big issues there. For a long time there has been discussion about the public sector and its contribution to the state's economy as well as providing infrastructure and services to the South Australian community. From my trailing through the budget, I believe that this is the second year that the state government youth training scheme has been cut.

If my assessment is correct, we have gone down to even fewer places, and from my reading only 600 places have been predicted. I view that with great concern because, as has been said a number of times by the opposition, the state government's youth traineeship scheme has been seen as a successful venture, where young people have had an opportunity to get experience in a whole range of areas (not to mention the trainees in electorate offices of many of the members in this place) and indeed an opportunity for further training or employment in the Public Service. When we have such a high unemployment rate in South Australia—particularly for young people—I wonder how these cutbacks will help South Australians and how we can bring them back home—a comment that is quite often made by us in this House.

The last point I want to touch on briefly is the news that has come from the South Australian Council of Social Service as well as the research undertaken by the Social Policy Research Group of the University of South Australia. The research looked at a number of issues, including obtaining a profile of social disadvantage in South Australia. One of the things that I found quite disturbing was that the report on the research that has been done by these two organisations states:

> South Australia has the highest level of poverty in the country before housing costs are accounted for.

As members would know, we have in the past had a very strong record in public housing. It continues:

> After housing costs are accounted for, poverty levels in South Australia are very close to the national average. This suggests that potentially high levels of poverty in this state have been contained by lower housing costs.

We have already talked today about the interconnection between the quality of life in South Australia and the provision of housing. Some concerns have been raised by my colleagues—particularly the member for Reynell—about this correlation. The SACOSS Commission report also states:

> Single people and sole parents living in South Australia have higher rates of poverty than the national average for those household types. Whereas single people in South Australia are most in poverty before housing costs are taken into consideration. . . .Couples (both with and without dependants) show higher levels of poverty both nationally and in South Australia once housing costs are considered. These households are now even more likely to experience poverty than they were in the past.
>
> Estimates of poverty and inequality in South Australia have increased over the last two decades [they argue] in line with the rest of the nation. The depth of poverty has intensified for most poor households in the State during that period.
>
> South Australia's rural and regional areas report very high levels of poverty but so do some of the state's urban areas. In South Australia, unlike other states, the metropolitan area has a similar level of unemployment to the non-metropolitan parts of the State, but a lower level of participation [as we well know] in the labour force.

So, it is of real concern to me that, although we have a budget with some good initiatives (and I acknowledge that), the research coming forward tells us that if it was not for the housing infrastructure and the housing that has been made available, South Australia's poverty levels would be even worse than has been recorded.

Mr HANNA (Mitchell): To set the scene of my contribution this evening, I relate to the House that about 500 years ago in England the appropriations of moneys from the Crown would not take place before the members of the House of Commons had the chance to bring their complaints and grievances from the different parts of Britain to the parliament so that the King could be aware of the condition of people around the nation. We have maintained that tradition so that, before we pass the South Australian budget in the year 2001, members of parliament have an opportunity to air what are called grievances.

I am taking an unusual turn tonight. Although some people may perceive what I have to say as a grievance, it is really a celebration—a celebration of the most powerful man in the world. I refer not to Rupert Murdoch but to George W. Bush or 'Dubya' as he is affectionately referred to. I say this in a spirit of good humour and goodwill because we love the American people and we are confident that the American people love us. However, I wish to recite a poem tonight—the words of George W. Bush, the American President elected as a result of a very peculiar and challenged ballot in Florida last year.

We in Australia were very surprised because a substantial number of the votes were not counted, although they may have been machine counted. In our system, where votes are counted by hand to ensure to the very last vote that an accurate result is achieved, it was an extraordinary thing to see party political public servants and officials rule on the election results in such a way that the actual result will never be known; that is, the actual result in terms of the votes cast by the citizens of Florida will never be known. Of course, that result in the state of Florida, because of the peculiarities of the American collegiate electoral system, meant that George W. Bush was elected President of the United States and, hence, he is the most important man in the world. It is for that reason that I feel it is appropriate to read a poem which comprises statements made by George W. Bush and which was compiled for aesthetic purposes by Mr Richard Thompson, a writer for the *Washington Post*, who has entitled the poem, 'Make the Pie Higher'. The poem is as follows:

> I think we all agree, the past is over.
> This is still a dangerous world.
> It's a world of madmen and uncertainty and potential mental losses.
> Rarely is the question asked
> Is our children learning?
> Will the highways of the internet become more few?
> How many hands have I shaked?
> They misunderestimate me.
> I am a pitbull on the pantleg of opportunity.
> I know the human being and the fish can coexist.
> Families is where our nation finds hope, where our wings take dream.
> Put food on your family!
> Knock down the tollbooth!
> Vulcanize society!
> Make the pie higher!

I think those words speak for themselves, Mr Speaker.

Motion carried.

The Hon. M.K. BRINDAL (Minister for Water Resources): I move:

That the proposed expenditures for the departments and services contained in the Appropriation Bill be referred to Estimates Committees A and B for examination and report by Tuesday 3 July, in accordance with the timetables as follows:

ESTIMATES COMMITTEE A

Tuesday 19 June 2001 at 11.00 a.m.
Premier, Minister for State Development, Minister for Multicultural Affairs.
Minister for Tourism.
Legislative Council
House of Assembly
Joint Parliamentary Services
Department of the Premier and Cabinet
Administered Items for Department of the Premier and Cabinet
State Governor's Establishment
Auditor-General's Department
Administered Items for the Auditor-General's Department
South Australian Tourism Commission
Minister for Tourism—Other Items
Wednesday 20 June 2001 at 11.00 am
Deputy Premier, Minister for Primary Industries and Resources, Minister for Regional Development.
Minister for Minerals and Energy, Minister assisting the Deputy Premier. Department for Primary Industries and Resources
Administered Items for Department for Primary Industries and Resources
Thursday 21 June 2001 at 11.00 a.m.
Treasurer, Minister for Industry and Trade.
Department of Treasury and Finance
Administered Items for Department of Treasury and Finance
Department of Industry and Trade
Administered Items for Department of Industry and Trade
Tuesday 26 June 2001 at 11.00 a.m.
Minister for Environment and Heritage, Minister for Recreation, Sport and Racing. Department for Environment and Heritage
Administered Items for Department for Environment and Heritage
Wednesday 27 June 2001 at 11.00 a.m.
Minister for Water Resources.
Department for Water Resources
Administered Items for Department for Water Resources

ESTIMATES COMMITTEE B

Tuesday 19 June 2001 at 11.00 a.m.
Attorney-General, Minster for Justice, Minister for Consumer Affairs.
Minister for Police, Correctional Services and Emergency Services.
Department of Justice
Administered Items for Attorney-General's Department
Administered Items for State Electoral Office
South Australian Police Department
Administered Items for South Australian Police Department
Minister for Minister for Police, Correctional Services and Emergency Services—Other Items
Wednesday 20 June 2001 at 11.00 a.m.
Minister for Transport and Urban Planning, Minister for the Arts, Minister for the Status of Women.
Minister for local Government, Minister for Aboriginal Affairs.
Department of Transport, Urban Planning and the Arts
Administered Items for Department of Transport, Urban Planning and the Arts TransAdelaide
Minister for Transport and Urban Planning, Minister for the Arts and Minister for the Status of Women—Other Items
Minister for Local Government—Other Items
Thursday 21 June 2001 at 11.00 a.m.
Minister for Education and Children's Services.
Minister for Employment and Training, Minister for Youth.
Department of Education, Training and Employment
Administered Items for Department of Education, Training and Employment
Tuesday 26 June 2001 at 11.00 a.m.
Minister for Human Services.
Minister for Disability Services, Minister for the Ageing.
Department of Human Services
Administered Items for Department of Human Services
Minister for Human Services—Other Items
Wednesday 27 June 2001 at 11.00 a.m.
Minister for Government Enterprises, Minister for Information Economy.
Minister for Administrative and Information Services, Minister for Workplace Relations.
Minister for Government Enterprises and Minister for Information Economy—Other Items Department of Administrative and Information Services
Minister for Workplace Relations

The Hon. M.K. BRINDAL (Minister for Water Resources): I move:

That Estimates Committee A be appointed consisting of Messrs Condous and Hamilton-Smith, the Hon. M.D. Rann, Ms Thompson, Mr Venning, the Hon. D.C. Wotton and Mr Wright.

Motion carried.

The Hon. M.K. BRINDAL (Minister for Water Resources): I move:

That Estimates Committee B be appointed consisting of Messrs Atkinson and Hanna, the Hon. G.A. Ingerson and Messrs McEwen, Meier, Scalzi and Snelling.

Motion carried.

ADJOURNMENT

At 10.31 p.m. the House adjourned until Thursday 7 June at 10.30 a.m.